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Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[1956 C.C.C. Grain Price Support Bulletin 1, Supp. 5, Corn]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1956-Crop Corn Re-extended Reseal Loan Program

A re-extended reseal loan program has been announced for 1956-crop corn. The 1956 C.C.C. Grain Price Support Bulletin 1 (21 F.R. 3997), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1956, supplemented by Supplements 1, 2, 3, and 4, Corn (21 F.R. 7175, 8233, 22 F.R. 3868 and 23 F.R. 2089), containing the specific requirements for the 1956-crop corn price support program is hereby further supplemented as follows:

- Sec.
- 421.1771 Applicable sections of 1956 C.C.C. Grain Price Support Bulletin 1, and Supplements 1, 2, 3, and 4, Corn.
- 421.1772 Availability.
- 421.1773 Eligible producer.
- 421.1774 Eligible corn.
- 421.1775 Approved storage.
- 421.1776 Quantity eligible for re-extended reseal loan.
- 421.1777 Service charges.
- 421.1778 Transfer of producer's equity.
- 421.1779 Personal liability of the producer.
- 421.1780 Storage and trackloading payments.
- 421.1781 Maturity and satisfaction.
- 421.1782 Foreclosure.
- 421.1783 Support rates, premiums and discounts.

AUTHORITY: §§ 421.1771 to 421.1783 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072 secs. 101, 401, 63 Stat. 1051; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421.

§ 421.1771 Applicable sections of 1956 C.C.C. Grain Price Support Bulletin 1, and Supplements 1, 2, 3, and 4, Corn.

The following sections of the 1956 C.C.C. Grain Price Support Bulletin 1, as amended, and Supplements 1, 2, 3, and 4, Corn, as amended, published in 21 F.R. 3997, 7175, 8233, 22 F.R. 3868 and 23 F.R. 2089, shall be applicable to the 1956 Corn Re-extended Reseal Loan Program: §§ 421.1601, 421.1608, 421.1610, 421.1611, 421.1613, 421.1614, 421.1615, 421.1617, 421.1740, 421.1753. Other sections of 1956 C.C.C. Grain Price Support Bulletin 1, as amended, and Supplements 1, 2, 3, and 4, Corn, as amended, shall be applicable to the extent indicated in this subpart.

§ 421.1772 Availability.

(a) *Area and scope.* The re-extended reseal program will be available in counties where 1956-crop corn is under extended reseal loan (except angoumois moth areas designated by the ASC State committee) and the ASC State committee determines that there may be a shortage of storage space and that the corn can be safely stored on the farm for the period of the re-extended reseal loan. This program provides, under certain circumstances, for the re-extension of 1956-crop corn farm-storage resale loans. Neither warehouse-storage loans nor purchase agreements will be available to producers under this program.

(b) *Time and source.* The producer who has an extended reseal loan and who desires to extend such loan must make application to the county committee which approved his extended reseal loan before the final date for delivery specified in the delivery instructions issued to him by the office of the county committee.

(c) *New forms.* Where required by State law, a new producer's note and chattel mortgage shall be completed when a reseal loan is re-extended. Where new forms are not completed, re-extension of the reseal loan shall not affect the rights of CCC, including its right to accelerate the note, and the rights and responsibilities of the producer as set forth in this subpart and in the original forms completed by the producer.

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§ 421.1773 Eligible producer.

An eligible producer shall be any individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and wherever applicable, a State, political subdivision of a State or any agency thereof, producing corn in 1956 as landowner, landlord, tenant, or sharecropper who has an extended reseal farm-storage loan in effect on corn of the 1956 crop.

§ 421.1774 Eligible corn.

(a) *Requirements of eligibility.* The corn (1) must be in farm storage presently under an extended reseal loan; (2) must meet the requirement set forth in § 421.1738 (a), (b), (c), and (d) (3); and (3) must grade No. 3 or better, or No. 4 on the factor of test weight only, but otherwise No. 3 or better, and must contain not in excess of 15.5 percent moisture in the case of ear corn nor in excess of 13.5 percent moisture in the case of shelled corn.

(b) *Inspection.* If a producer makes application to re-extend his reseal loan, the commodity loan inspector shall, with the producer, reinspect the corn and the farm-storage structure in which the corn is stored. If recommended by either the commodity loan inspector or the producer, a sample of the corn shall be taken and submitted for grade analysis.

(c) *Determination of quality.* Quality determinations shall be made as set forth in § 421.1741.

§ 421.1775 Approved storage.

Corn covered by any re-extended reseal loans must be stored in structures which meet the requirements for farm-storage loans as provided in § 421.1606 (a). Consent for storage for any loans extended must be obtained by the producer for the period ending September 30, 1960, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to September 30, 1960.

§ 421.1776 Quantity eligible for re-extended reseal loan.

The quantity of corn eligible for a re-extended reseal loan will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

§ 421.1777 Service charges.

When a reseal loan is re-extended, the producer will not be required to pay an additional service charge.

§ 421.1778 Transfer of producer's equity.

The producer shall not transfer either his remaining interest in or his right to redeem a commodity mortgaged as security for a farm-storage loan nor shall anyone acquire such interest or right. Subject to the provisions of § 421.1617 regarding partial redemption of loans, a producer who wishes to liquidate all or part of his loan by contracting for the sale of the commodity must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the commodity from storage when the proceeds of the sale are needed

to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

§ 421.1779 Personal liability of the producer.

The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan or the conversion or unlawful disposition of any portion of the commodity by him may render the producer subject to criminal prosecution under the Federal law and shall render him personally liable for the amount of the loan (including interest at the rate of 6 percent per annum from the date of disbursement of the loan) and for any resulting expense incurred by any holder of the note. A producer shall be personally liable for any damage resulting from tendering to CCC any commodity containing mercurial compounds or other substances poisonous to man or animals which is inadvertently accepted by CCC.

§ 421.1780 Storage and track-loading payments.

(a) *Storage payment for 1958-59 storage period.* (1) A producer who re-extends his farm-storage reseal loan will at the time of re-extension of the reseal loan receive a payment for earned storage during the 1958-59 reseal loan period. This payment will be computed at the rate of 16 cents per bushel on the quantity of corn held in farm storage for the full reseal period, ending July 31, 1959. The reseal storage payment will be disbursed to the producer by the office of the county committee.

(2) Upon delivery of the 1956-crop corn to CCC, the actual quantity of corn held in farm storage under the re-extended reseal loan program will be determined by weighing. The storage payments previously made to the producer at the time the reseal loan was extended and re-extended, covering the 1957-58 and 1958-59 storage periods, will be recomputed on the basis of the actual quantity determined to have been covered by the reseal and extended reseal loan. Any amount due the producer for such storage on the quantity delivered in excess of the quantity stated in the reseal and extended reseal loan documents will be regarded as an additional credit in effecting settlement with the producer. The amount of any overpayment which is determined to have been made to the producer at the time the reseal loan was extended and re-extended shall be collected from the producer.

(3) No storage payment will be made for the 1958-59 reseal loan period where the producer has made any false representation in the loan documents or in obtaining the loan, or where during or prior to the 1958-59 reseal loan period (i) the corn has been abandoned, (ii) there has been conversion on the part of the producer or (iii) the corn was damaged or otherwise impaired due to negligence on the part of the producer.

(b) *Storage payment for 1959-60 storage period.* A storage payment for the 1959-60 re-extended reseal storage period will be made as follows:

(1) *Storage payment for full re-extended reseal period.* A storage payment computed at the rate of 16 cents per bushel will be made to the producer on the quantity involved if he (i) redeems corn from the loan on or after July 31, 1960, (ii) delivers corn to CCC on or after July 31, 1960, or (iii) delivers corn to CCC prior to July 31, 1960, pursuant to demand by CCC for repayment of the loan solely for the convenience of CCC.

(2) *Prorated storage payment.* A prorated storage payment computed at the rate of \$0.00053 per bushel a day, but not to exceed 16 cents per bushel, according to the length of time the quantity of corn was in store after September 30, 1959, will be made to the producer (i) in the case of loss assumed by CCC under the provisions of the loan program, (ii) in the case of corn redeemed from the loan prior to July 31, 1960, and (iii) in the case of corn delivered to CCC prior to July 31, 1960, pursuant to CCC's demand and not solely for the convenience of CCC, or upon request of the producer and with the approval of CCC. In the case of losses assumed by CCC, the period for computing the storage payment shall end on the date of the loss; and in the case of redemptions, on the date of repayment.

(3) *No storage payments.* Notwithstanding the foregoing, in no case will any storage payment be made for the 1959-60 re-extended reseal storage period where the producer has made any false representation in the loan documents or in obtaining the loan, or where during or prior to such period (i) the corn has been abandoned, (ii) there has been conversion on the part of the producer or (iii) the corn was damaged or otherwise impaired due to negligence on the part of the producer.

(c) *Track-loading payment.* A track-loading payment of 3 cents per bushel will be made to the producer on corn delivered to CCC, in accordance with instructions of the county office, on track at a county point.

§ 421.1781 Maturity and satisfaction.

Re-extended reseal loans will mature on demand but not later than July 31, 1960. The producer must pay off his loan, plus interest, on or before maturity or deliver the mortgaged corn in accordance with the instructions of the county office. If the producer desires to deliver the corn he should, prior to maturity, give the county office notice in writing of his intention to do so. The producer may, however, pay off his loan and redeem his corn at any time prior to delivery of the corn to CCC or removal of the corn by CCC. Credit will be given at the applicable settlement value according to grade and quality for the total quantity eligible for delivery. Delivery of corn will be accepted only from bin(s) in which the corn under re-extended reseal loan is stored. The provisions of § 421.1618 (a), (c), (e) and (f) and of § 421.1746(a)(1) shall be applicable thereto.

§ 421.1782 Foreclosure.

If the loan (i.e. the amount of the note, interest, and charges) is not satisfied upon maturity, the holder of the note is authorized to remove the commodity from storage; and also to sell, assign, transfer, and deliver the commodity or documents evidencing title thereto at such time, in such manner, and upon such terms as the holder of the note may determine, at public or private sale, either by separate contract or after pooling it with other lots of a commodity similarly held. Any such disposition may similarly be effected without removing the commodity from storage. The commodity may be processed before sale and the holder of the note may become the purchaser of the whole or any part of the commodity. If the commodity is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled commodity as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. The holder or his agent shall pay to the producer or his personal representative only without right of assignment to, or substitution of any other party, the higher of (a) any overplus remaining from the sales proceeds, or if the commodity is pooled the producer's ratable share from the liquidation of a pool, after deducting the amount of the note, interest, and charges and any expenses of conducting the pool, in the case of pooled commodities; or (b) the amount by which the settlement value of the mortgaged or pledged commodity may exceed the principal amount of the loan. If a farm-stored commodity removed by CCC from storage is sold at less than the amount due on the loan (excluding interest) and the quantity, grade, or quality of the commodity as removed is lower than that on which the loan was computed, the producer shall pay to CCC the difference between the amount due on the loan and the higher of the sales proceeds or the settlement value of the commodity removed by CCC, plus interest. The settlement value shall be determined in accordance with the provisions of the applicable commodity supplement and Producer's Note and Supplemental Loan Agreement concerning settlement of commodities delivered by the producer to CCC. The amount of the deficiency may be set off against any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture, or any other payments which are due or may become due the producer from CCC, or any other agency of the United States. The term "charges" as used in this subpart means all fees, costs, and expenses incident to insuring, carrying, handling, storing, conditioning and marketing of the com-

modity, and otherwise protecting the interest in the mortgaged commodity of any holder of the note or the producer, including foreclosure costs.

§ 421.1783 Support rates, premiums and discounts.

(a) The support rate for a re-extended resale loan shall remain the same as for the original loan.

(b) Any discounts or premiums established for variation in classification and quality as shown in § 421.1747(b), shall be applicable in determining the settlement value.

Issued this 12th day of January 1959.

[SEAL] CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-438; Filed, Jan. 15, 1959;
8:51 a.m.]

[1958 C.C.C. Grain Price Support Bulletin 1,
Supp. 2, Corn]

PART 421—GRAINS AND RELATED COMMODITIES**Subpart—1958-Crop Corn Loan and Purchase Agreement Program****SUPPORT RATES**

In Federal Register Document 58-9104 published at page 8600 in the issue for Tuesday, November 4, 1958, the following change should be made:

Section 421.3143 *Support rates* should read § 421.3147 *Support rates*.

Issued this 12th day of January 1959.

[SEAL] CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-437; Filed, Jan. 15, 1959;
8:51 a.m.]

[1958 C.C.C. Grain Price Support Bulletin 1,
Supp. 1, Amdt. 6, Rye]

PART 421—GRAINS AND RELATED COMMODITIES**Subpart—1958-Crop Rye Loan and Purchase Agreement Program****PRICE SUPPORT PROGRAM**

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 23 F.R. 3500, 5319, 6279, 6771, 7875 and 8853, containing specific requirements for the 1958-crop rye price support program are hereby amended as follows:

Section 421.3386(h) is amended by increasing the rate of payment for Union County, Oregon, from ten cents per bushel to eleven cents per bushel.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U.S.C. 714c, 7 U.S.C. 1447, 1421)

Issued this 12th day of January 1959.

[SEAL] CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-436; Filed, Jan. 15, 1959;
8:51 a.m.]

Title 7—AGRICULTURE**Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture**

[Tangerine Reg. 207]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA**Limitation of Shipments****§ 933.952 Tangerine Regulation 207.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 13, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines and compliance with this section will not require any special

preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used in this section, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (51.1810 to 51.1836 of this title).

(2) Tangerine Regulation 206 (§ 933.948; 24 F.R. 47) is hereby terminated effective at 12:01 a.m., e.s.t., January 16, 1959.

(3) During the period beginning at 12:01 a.m., e.s.t., January 16, 1959, and ending at 12:01 a.m., e.s.t., February 2, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, that do not grade at least U.S. No. 2 Russet; or

(ii) Any tangerines, grown in the production area, that are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 19\frac{1}{2} \times 9\frac{1}{2}$ inches; capacity 1,726 cubic inches).

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Dated: January 13, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-449; Filed, Jan. 15, 1959;
8:51 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Com- merce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th Gen. Rev. of Export Regs. Amdt. 6¹]

PART 371—GENERAL LICENSES

PART 372—PROVISIONS FOR INDI- VIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

Miscellaneous Amendments

§ 371.8 [Amendment]

1. Section 371.8 *General License GRO; shipments of non-Positive List commodities*, paragraph (b) *Surplus agricultural commodities and manufactures thereof* is amended to read as follows:

¹ This amendment was published in Current Export Bulletin 809, dated December 29, 1958.

(b) *Surplus agricultural commodities and manufactures thereof*—² (1) *Contracts of sale amounting to \$10,000 or more.* (i) Prior to or at the time of entering into a contract to sell for export, or otherwise dispose of for exportation except as provided by subparagraph (2) of this paragraph:

(a) Any commodity obtained directly or indirectly from the Commodity Credit Corporation, either in the form acquired or in processed form;

(b) Any commodity being sold in substitution for a commodity acquired from the CCC under an export disposal program; or

(c) Any commodity which is subsidized for export by the CCC, either by cash payment or payment in kind;

(ii) An exporter shall, where the contract is entered into prior to exportation of the commodity under this general license, either in the contract of sale or in connection therewith, obtain from the foreign purchaser, where the contract amounts to \$10,000 or more, a written acknowledgment of the purchaser's understanding of (a) the prohibition without prior Bureau of Foreign Commerce approval against exportation or reexportation by any person, as set forth in this section and in § 371.4, of any such commodities, to Macao, Hong Kong and destinations in Subgroup A (see § 371.3) and (b) the sanction of denial of export privileges which may be imposed for violation of the export regulations. Where a contract of sale involving \$10,000 or more is not to be entered into until after exportation under this general license, the exporter shall, either in the contract of sale or in connection therewith, obtain the same type of acknowledgment from the foreign purchaser prior to, or at the time of entering into the contract of sale.

(iii) Where commodities are to be exported by a party other than the original purchaser of the commodities from the Commodity Credit Corporation, the original purchaser shall inform the exporter in writing of the requirement for obtaining the signed acknowledgment from the foreign purchaser.

(iv) Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by that agency.

(2) *Exceptions.* The provisions of subparagraph (1) of this paragraph do not apply to an exportation to a Group 0 country or to a sale pursuant to Title I of Public Law 480, 83rd Congress, where the purchaser is a foreign government.

(3) *Retention of records.* The document of acknowledgment required to be obtained from the foreign purchaser and the documents constituting evidence of the contract of purchase and sale must be kept available by the exporter for in-

² This procedure is also applicable to such shipments under General License GHK (§ 371.23).

spection, upon demand, by the Bureau of Foreign Commerce for a period of three years from the date of exportation.

§ 371.11 [Amendment]

2. Section 371.11 *General licenses BAGGAGE and TOOLS OF TRADE*, paragraph (a) *General license BAGGAGE* is amended by deleting subparagraph (3) *Special provisions*.

§ 371.18 [Amendment]

3. Section 371.18 *General license GLR; return of certain commodities imported into the United States*, paragraph (a) *Machinery or parts of machinery*, subparagraph (2) is amended to read as follows:

(2) The provisions of this paragraph do not apply to:

(i) Hong Kong, Macao, and Subgroup A destinations; and

(ii) Commodities disposed of by United States Government agencies under foreign excess property disposal programs.

§ 371.21 [Amendment]

4. Section 371.21 *General license GIFT; shipments of gift parcels*, paragraph (c) *Commodity, weight, and other limitations*, subparagraph (3) *Dollar-value limitations* is amended to read as follows and the note following is deleted:

(3) *Dollar-value limitations.* The combined total domestic retail value of all commodities included in a single parcel shall not exceed \$50.

§ 372.5 [Amendment]

5. Section 372.5 *How to file an application for a validated license*, paragraph (a) *Form and manner of filing*, Item 3 of Note 2 is revised to read as follows:

Item 3. The country of final (ultimate) destination is to be entered, not a country through which the exportation may travel in transit to its final destination. The name of the country shall be stated in accordance with the country designation listed in "Schedule C, Classification of Country Designations Used in Compiling the United States Foreign Trade Statistics," issued by the Bureau of Census, unless otherwise specified in §§ 373.66-373.99 of this chapter. The country designation may be a destination shown in a heading alongside of a Schedule C code number, or a destination listed in a further breakdown under such heading. For example, when an exportation is made to the Kenya Colony, the name of the country shown in Item 3 of the application may be British East Africa, which appears alongside of Schedule C code number 785, or it may be Kenya Colony, which is listed as a destination in the breakdown under British East Africa.

Exporters are responsible for placing a statement of ultimate destination and prohibition against diversion on shipper's export declaration, bill of lading and commercial invoice for various export shipments. Omission of the statement, or unauthorized diversion of commodities from country of final (ultimate) destination, not in accordance with the statement, are violations of the export regulations subject to denial of export privileges and to criminal penalties.

6. Sections 373.11 to 373.30 are amended to read as follows:

COMMODITY GROUP 00

§ 373.11 Applicability of Multiple Commodity Group provisions to Commodity Group 00 commodities.

Applications for licenses to export agricultural commodities, and manufactures thereof, to Eastern European countries within country designation Subgroup A shall conform with the special provisions set forth in § 373.5.

§ 373.12 [Reserved]

COMMODITY GROUP 0

§ 373.13 Applicability of Multiple Commodity Group provisions to Commodity Group 0 commodities.

Applications for licenses to export agricultural commodities, and manufactures thereof, to Eastern European countries within country designation Subgroup A shall conform with the special provisions set forth in § 373.5.

§§ 373.14-373.16 [Reserved]

COMMODITY GROUP 1

§ 373.17 Applicability of Multiple Commodity Group provisions to Commodity Group 1 commodities.

Applications for licenses to export agricultural commodities, and manufactures thereof, to Eastern European countries within country designation Subgroup A shall conform with the special provisions set forth in § 373.5.

§§ 373.18-373.19 [Reserved]

COMMODITY GROUP 2

§ 373.20 Applicability of Multiple Commodity Group provisions to Commodity Group 2 commodities.

Applications for licenses to export agricultural commodities, and manufactures thereof, to Eastern European countries within country designation Subgroup A shall conform with the special provisions set forth in § 373.5.

§§ 373.21-373.23 [Reserved]

COMMODITY GROUP 3

§ 373.24 Applicability of Multiple Commodity Group provisions to Commodity Group 3 commodities.

Applications for licenses to export agricultural commodities, and manufactures thereof, to Eastern European countries within country designation Subgroup A shall conform with the special provisions set forth in § 373.5.

§§ 373.25-373.27 [Reserved]

COMMODITY GROUP 4

§ 373.28 Applicability of Multiple Commodity Group provisions to Commodity Group 4 commodities.

Applications for licenses to export agricultural commodities, and manufactures thereof, to Eastern European countries within country designation Subgroup A shall conform with the special provisions set forth in § 373.5.

§§ 373.29-373.30 [Reserved]

§ 373.32 [Revocation]

7. Section 373.32 *Petroleum products* is revoked.

§ 373.33 [Revocation]

8. Section 373.33 *Diamonds* is revoked.

§ 373.41 [Amendment]

9. Section 373.41 *Nonferrous commodities, including ores, concentrates, or unrefined products*, paragraph (b) *Copper ores, concentrates, unrefined copper, refined copper, copper scrap, copper-base alloy scrap and copper-base alloy ingots and other crude forms* is revoked.

§ 373.42 [Revocation]

10. Section 373.42 *Tools incorporating industrial diamonds* is revoked.

§ 373.49 [Amendment]

11. Section 373.49 *Machinery and parts*, paragraph (a) *Machinery, equipment, and apparatus* is amended by adding the processing codes FINP and RARA to those set forth in the first sentence, and paragraph (b) *Tools incorporating diamonds* is revoked.

§ 373.55 [Amendment]

12. Section 373.55 *Chemicals and medicinals*, paragraph (b) *Isotopes* is revoked.

§ 373.61 [Revocation]

13. Section 373.61 *Tools incorporating diamonds* is revoked.

This amendment shall become effective as of December 29, 1958.

(Sec. 3, 68 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,

Bureau of Foreign Commerce.

[F.R. Doc. 59-338; Filed, Jan. 15, 1959;
8:45 a.m.]

[9th Gen. Rev. of Export Regs., Amdt. 7¹]

PART 382—DENIAL OF EXPORT PRIVILEGES

Miscellaneous Amendments

1. Section 382.16 *Publication of orders* is renumbered § 382.17 and a new § 382.16 is added to read as follows:

§ 382.16 Orders containing probationary periods.

(a) *Revocation of probationary periods.* An order denying export privileges to any person may provide a probationary period during which such denial order is held in abeyance for all or part of the denial period provided by

¹ This amendment was published in Current Export Bulletin 808, dated December 18, 1958, and Current Export Bulletin 809, dated December 29, 1958.

the order, subject to conditions set forth therein. With or without notice to any person to be affected thereby, the Director of the Export Control Investigation Staff may apply to the Compliance Commissioner for an order revoking such probation period upon a charge that the conditions of such probation have been breached. The facts in support of such application shall be presented to the Compliance Commissioner who shall report thereon, and make a recommendation as to the action to be taken, to the Director of the Office of Export Supply. The Director of the Office of Export Supply shall then determine whether the conditions have been breached and issue such order as he may decide is appropriate.

(b) *Hearing.* (1) Any person affected by a notice that an application is being made to revoke a probationary period may, within the time specified in the notice, file with the Compliance Commissioner any objections he may have to the application.

(2) Any person affected by an order revoking a probationary period without notice may request that such order be set aside by filing with the Compliance Commissioner his objections thereto. Such request will not stay the effective date of the order of revocation.

(3) Objections shall be filed in writing and in duplicate with the Compliance Commissioner. All denials and admissions, as well as the facts of any mitigating circumstances, which the person affected intends to present shall be set forth in or attached to the letter of objection. All contentions must be supported by evidence. A request for an oral hearing may be made at the time of filing such objections.

(4) The application and any objections thereto shall be referred to the Compliance Commissioner and, if an oral hearing is requested, he shall conduct such hearing at the earliest convenient date. Thereafter he shall report the facts and make a recommendation to the Director of the Office of Export Supply, who shall then determine whether the application should be granted or denied. After the Director's determination following either an application on notice for revocation or an application to set aside a revocation, a copy of the order and of the Compliance Commissioner's report shall be sent to any person affected thereby.

(c) *Effect of revocation on other actions.* The revocation of a probationary period shall not preclude any other action concerning a violation upon which such revocation is based.

§ 382.51 [Amendment]

2. Section 382.51 *Supplement 1; Table of denial and probation orders currently in effect*, paragraph (b) *Table of denial and probation orders* is amended in the following respects:

a. The following entries are added to the list:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Alenbluk, Abram, 20 Avenue de l'Opera, Paris, France.	10-8-58	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to CEEI, which see.)	23 F.R. 7031, 10-14-58.
Attilana-Societe Marocaine pour le Commerce International, 106 Avenue de l'Opera, Paris, France.	Do.	Do.	Do.	Do.
Bernard, Aron, 20 Avenue de l'Opera, Paris, France.	Do.	Do.	Do.	21 F.R. 775-777, 2-3-56.
BERNAL Importation-Exportation, S.A.R.L., 20 Avenue de l'Opera, Paris, France.	Do.	Do.	Do.	23 F.R. 9039, 12-12-58.
BUREX, 61 Rue Des Petits Champs, Paris, France.	Do.	Do.	Do.	23 F.R. 7031, 10-14-58.
Burn, W. A., 2 Doughty Street, London, W.O. 2, England.	9-23-58	Do.	General and validated licenses, all commodities, any destination, also exports to Canada.	Do.
Canales, Jesus, Madero 1547, Mexicali, B.O., Mexico.	12-4-58	Duration	General and validated licenses, all commodities, any destination, also exports to Canada.	21 F.R. 775-777, 2-3-56.
Cavanaugh, John W., 96 Stauffer Chemical Co., 636 California Street, San Francisco, Calif.	12-9-58	2-9-59 (on probation 2-10-59-6-9-59)*	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.
CEEI, a/k/a Comptoir European d'Exportation et d'Importation, 20 Avenue de l'Opera, Paris, France.	10-8-58	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.
Comptoir European d'Exportation et d'Importation, a/k/a CEEI, 20 Avenue de l'Opera, Paris, France.	Do.	Do.	Do.	Do.
Goldmann & Co., S. and Goldmann, Walter A., Lessingstrasse 27, Blefeld, Germany.	12-9-58	1-9-59 (on probation 1-10-59-6-9-59)*	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.
Hausser, Maurice, 20 Avenue de l'Opera, Paris, France.	10-8-58	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.
King, W. E., 2 Doughty Street, London, W.O. 2, England.	9-23-58	Do.	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.
Jegouzo, Mathurin Marie, 106 Avenue Peynirau, Casablanca, Morocco.	10-8-58	Do.	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.

b. The following entries are amended to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
International Trading Co., a/k/a Kokusai Bunkai Shokai, 603-4 Fukuoka Building, Uchisaiwai-cho, 2-Chome, Chiyoda-Ku, Tokyo, Japan.	1-31-59	Do.	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 775-777, 2-3-56.
Kokusai Bunkai Shokai, a/k/a International Trading Co., 603-4 Fukuoka Building, Uchisaiwai-cho, 2-Chome, Chiyoda-Ku, Tokyo, Japan.	Do.	Do.	Do.	Do.
Larkins, G. D., 2 Doughty Street, London, W.O. 2, England.	10-8-58	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.
Lozano Ramirez, Alejandro, Washington 1142 Ote., Monterrey, N.L., Mexico.	12-4-58	6-4-59	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 7031, 10-14-58.

* Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

This part of the amendment shall become effective as of December 18, 1958.

b. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. license required	Commodity lists
61938	Welding rods and wires, iron and steel, electric, special types only. ^{1,2}	Lb.	STEE 6	100	RO	A
61940	Welding rods and wires, iron and steel, non-electric, special types only. ^{1,2}	Lb.	STEE 6	100	RO	A
61944	Cobalt welding rods, wires and electrodes (including brazing rods). ¹	Lb.	MINL 5	100	RO	A
61944	Molybdenum and molybdenum alloy welding rods, wires and electrodes (including brazing rods). ¹	Lb.	MINL 8	100	RO	A
70848	Crystal diodes and transistors (semiconductors, n.e.c.): Other transistors, n.e.c., the following types only: OCP71, 5250, 2N247, 2N269, 2N277, 2N284A, 2N322, 2N370, 2N371, 2N372, 2N404, 2N441, 2N466. (Specify by type number and quantity of each type.) (See § 399.2, interpretation 19). ¹	No.	RARA 51	50	RO	
74079	Milling machines, n.e.c., designed for or equipped with closed loop electronic circuits. (See § 399.2, interpretation 20). ¹	No.	TOOL	500	RO	A
74079	Milling machines, n.e.c., specially designed for the manufacture of arms, munitions and implements of war. ¹	No.	TOOL	500	RO	A
74450	Metal-cutting machine tools, n.e.c., designed for or equipped with closed loop electronic circuits. (See § 399.2, interpretation 20). ¹	No.	TOOL	500	RO	A
74509	Combination balancing and correcting machines designed for equipment with closed loop electronic circuits. (See § 399.2, interpretation 20). ¹	No.	TOOL	500	RO	A
77325	Chemical and pharmaceutical processing and manufacturing machines, n.e.c., and specially fabricated parts and accessories, n.e.c.: Equipment, n.e.c., specially designed for use in the following unit operations: (a) solvent processing; (b) fractionating, rectifying and dephlegmating; (c) hydrogenation; (d) dehydrogenation; (e) isomerization; (f) polymerization; (g) aromatization; (h) alkylation; (i) desulphurization; (j) thermal or catalytic cracking, reforming or platforming; and specially fabricated parts and accessories therefor, n.e.c. Research laboratory apparatus and equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.: Silicon and germanium crystal pulling (growing), slicing, lapping, dicing, or etching machines and equipment; laboratory type; and specially fabricated parts and accessories, n.e.c. Parts and accessories, n.e.c., specially fabricated for small arms: Other parts and components (except barrels and breech mechanisms) specially designed for rifles (other than fully automatic), carbines, pistols and revolvers. ¹		GIEQ	250	RO	
91080	Research laboratory apparatus and equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.: Silicon and germanium crystal pulling (growing), slicing, lapping, dicing, or etching machines and equipment; laboratory type; and specially fabricated parts and accessories, n.e.c. Parts and accessories, n.e.c., specially fabricated for small arms: Other parts and components (except barrels and breech mechanisms) specially designed for rifles (other than fully automatic), carbines, pistols and revolvers. ¹		SATE	None	RO	A
94745	Parts and accessories, n.e.c., specially fabricated for small arms: Other parts and components (except barrels and breech mechanisms) specially designed for rifles (other than fully automatic), carbines, pistols and revolvers. ¹		FINP	None	RO	A

¹ On and after Feb. 2, 1959, an Import Certificate (or a Hong Kong Import License) will be required in support of a license application covering exports of this commodity to the countries specified in § 372.2.

² For export control purposes "special types" of alloy steel (including stainless) includes steels containing any of the following characteristics: (1) alloys with 10 percent or more molybdenum; (2) alloys with 5 percent or more molybdenum and more than 14 percent chromium; (3) alloys with 6 percent cobalt, except permanent magnetic metals with a cobalt content of 25 percent or less; (4) alloys with 1.5 percent or more columbium and/or tantalum; (5) nickel-bearing steels, n.e.c., with a total of 35 percent or more of alloying elements, including but not limited to the following types: AISI types 309, 309B, 309S, 309S-Gb-Ti, 310, 311, 312, 314, 317, and 330; and (6) precipitation hardening steels as follows: AM 350, AM 356, 17-4 PH, 17-7 PH, PH 15-7 Mo, 17-10 F, 17-14 Cu Mo, V2 B, HNM, Stainless W, and FV 520.

c. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Arvo, Eli Nisim, d/b/a General Import Export Co., Sudexport, Allenby Str. 108, P.O.B. 2228, Tel Aviv, Israel.	6-24-57	Duration.....	General and validated licenses, all commodities, any destination, also exports to Canada.	22 F.R. 4512, 6-27-57.
Firma Leo Savelsberg, Feldsaten-Grosshandlung, 21 Durenstrasse, Juelich, Rheinland, Germany.	7-16-58	Indefinite.....	do.....	23 F.R. 5549, 7-22-58.
General Import Export Co., Allenby Str. 108, P.O.B. 2228, Tel Aviv, Israel.	6-24-57	Duration.....	do.....	22 F.R. 4512, 6-27-57.
Kurumami, Alfred, 808 Bank of East Asia Bldg., Hong Kong.	7-10-58	do.....	General and validated licenses, all commodities, any destination, also exports to Canada. (Partly related to Overseas Trading Co. (H.K.) Ltd., which see.)	23 F.R. 5400, 7-16-58.
Savelsberg, Leo, d/b/a Firma Leo Savelsberg, Feldsaten-Grosshandlung, 21 Durenstrasse, Juelich, Rheinland, Germany.	7-16-58	Indefinite.....	General and validated licenses, all commodities, any destination, also exports to Canada.	23 F.R. 5549, 7-22-58.
Sudexport, Allenby Str. 108, P.O.B. 2228, Tel Aviv, Israel.	6-24-57	Duration.....	do.....	22 F.R. 4512, 6-27-57.

This amendment shall become effective as of December 29, 1958.

[9th Gen. Rev. of Export Regs., Amdt. P.L. 6¹]
PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Miscellaneous Amendments

1. Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

a. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
70848	Crystal diodes and transistors (semiconductors, n.e.c.): Other transistors, n.e.c., the following types only: CK13, CK14, CK16, CK17, CK24, CK26, CK27, CK28, CK60, CK67, CK302, GFT32, GFT300R, GFT301R, GR702R, GT33, GT35, GT750R, GT762R, MN48, TL104, 2N07, 2N103, 2N201, 2N292, 2N293, 2N352, 2N353, 2N592, 2N594. Research laboratory apparatus and equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.: High vacuum pump stations, laboratory type, and specially fabricated parts and accessories, n.e.c. Parts and accessories, n.e.c., specially fabricated for artillery and naval guns, mortars, rocket and missile launchers, except self-propelled: Gun part fabrications, brass and bronze. (Specify by name). ¹
91080	Research laboratory apparatus and equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.: Silicon and germanium crystal pulling (growing), slicing, lapping, dicing, or etching machines and equipment; laboratory type; and specially fabricated parts and accessories, n.e.c. Parts and accessories, n.e.c., specially fabricated for small arms: Other parts and components (except barrels and breech mechanisms) specially designed for rifles (other than fully automatic), carbines, pistols and revolvers. ¹
94755	Parts and accessories, n.e.c., specially fabricated for small arms: Other parts and components (except barrels and breech mechanisms) specially designed for rifles (other than fully automatic), carbines, pistols and revolvers. ¹

¹ This commodity is under the jurisdiction of the Department of State. All outstanding licenses for this commodity issued by the Department of Commerce prior to Dec. 18, 1958, remain valid until they expire or are revoked.

² This amendment was published in Current Export Bulletin 808, dated December 18, 1958.

This part of the amendment shall become effective as of December 29, 1958.
c. The following entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a Schedule B number, the entry to be superseded is identified by a numerical reference in parentheses following the commodity description in the revised entry:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val.-dated license required
50300	Hydraulic or automatic transmission fluids, petroleum based, having the following characteristics: (a) kinematic viscosity of 4.6 centistokes or greater at 210° F.; (b) pour point of minus 30° F. or lower; and (c) viscosity index (VI) of 130 or higher. ¹	Gal.	PETR 1	25	RO
54001	Synthetic diamond powder. [Report industrial diamonds in 59900.] ¹	Carat	FINP	None	RO
59000	Synthetic diamonds suitable only for industrial use, n.e.c. ²	Carat	FINP	None	RO
60355	Electrical (silicon) steel sheets and strip with a core loss of 0.46 watt per pound at 13,000 gauss and 50 cycles per second or less, or with a thickness of 0.0004 inch and less. (Specify thickness in decimal parts of an inch and the core loss in watts per pound at flux density of 13,000 gauss and at 50 cycles per second.) [Report stampings in 70907.] ¹	Lb.	STEE 3	100	RO
60627	Pipe, tubes, and tubing, n.e.c., new and used (except for scrap or reworking). [Report pipe assemblies specially fabricated for particular machines or equipment in 70670; used tubes for scrap in 60675; tubes for reworking in 60695; and pipe fittings in 61840-61852.] ¹	Lb.	STEE 5	100	R
60630	Seamless O.D. pipe, carbon and alloy steel, over 24 inches O.D. ¹	Lb.	STEE 5	100	R
61078	Metals, n.e.c.: Molybdenum and molybdenum alloy metal powders. ¹	Lb.	MINL 8	100	RO
64129	Cobalt dental alloys. (1) ¹	Lb.	MINL 5	100	RO
66540	Nonferrous metals and alloys in crude form, scrap, and semifabricated forms, n.e.c. (Specify by name.) (See § 309.2, Interpretations 10 and 12.) ¹	Lb.	MINL	None	RO
66540	Crystalline silicon (silicon metal) containing 99.9 percent silicon or over. (3) ¹	Lb.	MINL 9	100	RO
70370	Tantalum bearing slag. (9) ¹	Lb.	ELME 3	100	RO
70370	Electrical and electronic characteristics testing instruments, n.e.c., and specially fabricated parts and accessories, n.e.c., for electrical and electronic quantity and characteristics measuring and testing instruments: Frequency measuring instruments and frequency standards with an accuracy better than 0.0001 percent. (Specify by name and model number.) (2) ¹	No.	ELME 3	100	RO
70370	Apparatus for automatically sorting electronic components in respect to their electrical characteristics. (Specify by name and model number.) (3) ¹	No.	ELME 3	100	RO
70370	Parts and accessories, n.e.c. (including oscilloscope plug-in amplifiers and preamplifiers having a bandwidth greater than 12 megacycles), specially fabricated for other electrical and electronic quantity and characteristics measuring and testing instruments included on the Positive List under Schedule B Nos. 70362 through 70370. (Specify by name.) (7) ¹	No.	ELME 3	100	RO

See footnotes at end of table.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val.-dated license required
70840	Electronic equipment, n.e.c., and parts: [Report X-ray tubes in 70761]: Photomultiplier tubes, as follows: (a) having photoemitter sensitivity of 10 or more microamperes per lumen and an average amplification greater than 100,000; (b) having dark current plus noise less than 5 x 10 ⁻⁶ amperes per square centimeter of active cathode surface; (c) having maximum sensitivity at wavelengths longer than 7000 angstrom units. (Specify type numbers and quantity of each type.) (3) ¹	No.	RARA 51	50	RO
70867	Electronic detection and navigation apparatus, n.e.c., and specially fabricated parts and accessories, n.e.c.: Control units for power controlled searchlights designed for military use; and specially fabricated parts and accessories, n.e.c. (1) ¹	-----	ELME	None	RO
70886	Electronic equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.: Waveguide and components as follows: (a) ferrite waveguides for use at all frequencies; (b) rigid waveguides for use at 12,500 megacycles; (c) flexible waveguides for use at 12,500 megacycles. (2) ¹	-----	RARA 52	100	RO
70907	Electrical steel punchings with a core loss of 0.45 watt per pound at 13,000 gauss and 50 cycles per second or less, or with a thickness of 0.0004 inch or less. (Specify thickness in decimal parts of an inch and the core loss in watts per pound at flux density of 13,000 gauss and at 50 cycles per second.) ¹	Lb.	STEE 3	100	RO
71392	Power boilers (steam generators), and parts: Parts and accessories, n.e.c., specially fabricated for marine steam boilers designed to operate at temperatures of 1,100° F. and above. (Specify designed operating temperature.) (1) ¹	-----	CONS	None	RO
71406	Internal-combustion engines, n.e.c., and parts and accessories, n.e.c.: [Report automobile, truck and bus engines in 70161-70162 and 70271; aircraft engines in 70140-70172; motorcycle motors in 70730; and engine-driven welding sets and self-contained electric generator sets in 70101-70115.] Diesel and semi-diesel marine engines: 1,500 brake horsepower and over, with rotary speeds of 700 r.p.m. and over. (Specify brake horsepower at rated speed, and r.p.m.) (2) ¹	No.	CONS 9	None	RO
71476	Diesel and semi-diesel engines, n.e.c. (including tractor engines): 1,500 brake horsepower and over, with rotary speeds of 700 r.p.m. and over. (Specify brake horsepower at rated speed, and r.p.m.) ³	No.	CONS 4	None	RO
71500	Parts and accessories, n.e.c., specially fabricated for diesel engines included on the Positive List under Schedule B Nos. 71460 through 71466. (Specify type of engine, brake horsepower at rated speed, and r.p.m.) ¹	-----	CONS 9	500	RO
71500	Parts and accessories, n.e.c., specially fabricated for diesel engines included on the Positive List under Schedule B No. 71476. (Specify type of engine, brake horsepower at rated speed, and r.p.m.) ³	-----	CONS 4	500	RO
72225	Contractors' off-the-road wheel type tractors (including off-the-road truck or hauler-tractors): Other contractors' off-the-road wheel type tractors, 135 net engine flywheel horsepower and over. (Specify engine horsepower.) (3) ¹	No.	CONS 1	None	R
72227	Off-the-road haulers (trucks, wagons, and trailers) built to military specifications and specially designed for airborne transport. (1) ¹	No.	CONS	None	RO
72245	Lorain vehicles, self propelled, n.e.c., of 135 brake horsepower and over. (Specify type and brake horsepower.) (4) ¹	No.	CONS 1	None	R

See footnotes at end of table.

See footnotes at end of table.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valt. dated license required
77117	Pumps, n.e.c., having all flow-contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) polytetrafluoroethylene (e.g., Teflon), or polytrichloroethylene. (Specify metal content in percent.) (6) ¹ Parts and accessories, n.e.c., specially fabricated for pumps. (Complete knockdown pumps shall be reported in the proper pump classifications, whether the integral components are shipped simultaneously or in a series of partial shipments.) Parts and accessories, n.e.c., specially fabricated for other pumps included on the Positive List under Schedule B Nos. 77101 through 77117 for which a validated license is required to both R and O country destinations. (4) ² Pipe assemblies made of or lined with polytetrafluoroethylene or polytrichloroethylene. (1) ³ Other pipe assemblies (two or more pipe sections permanently affixed), specially fabricated for particular machines or equipment. (Specify machine or equipment.) (2) ⁴ Processing vessels, non-mixing, n.e.c., and specially fabricated parts and accessories, n.e.c.: Processing vessel, non-mixing, n.e.c., specially designed for use in the following unit operations: (a) solvent processing; (b) fractionating, rectifying and dephlegmating; (c) hydrogenation; (d) dehydrogenation; (e) isomerization; (f) polymerization; (g) aromatization; (h) alkylation; (i) de-sulfurization; (j) thermal or catalytic cracking, reforming or platforming; and specially fabricated parts and accessories therefor, n.e.c. (2) ⁵ Separators and collectors, industrial process type, n.e.c., and specially fabricated parts and accessories, n.e.c. [Report ore and coal separating machines in 7307; electrostatic precipitators, precipitator type in 77083]. Other separators and collectors, n.e.c., specially designed for use in the following unit operations: (a) solvent processing; (b) fractionating, rectifying and dephlegmating; (c) hydrogenation; (d) dehydrogenation; (e) isomerization; (f) polymerization; (g) aromatization; (h) alkylation; (i) de-sulfurization; (j) thermal or catalytic cracking, reforming or platforming; and specially fabricated parts and accessories therefor, n.e.c. (2) ⁶ Industrial manufacturing and service industries machines, n.e.c., and specially fabricated parts and accessories, n.e.c.: Silicon and germanium crystal pulling (growing), slicing, lapping, dicing or etching machines and equipment; and specially fabricated parts and accessories, n.e.c. (14) ⁷ Tracklaying tractors: Other tracklaying tractors, 112 but under 155 drawbar horsepower, new. [Specify drawbar horsepower (calculated if tractor is equipped with torque converter or has not been Nobriska tested) and net engine flywheel horsepower.] (2) ⁸ Other tracklaying tractors 165 and over drawbar horsepower, new. [Specify drawbar horsepower (calculated if tractor is equipped with torque converter or has not been Nobriska tested) and net engine flywheel horsepower.] (2) ⁹ Zirconium chemicals, n.e.c.: Zirconium oxide, purity 97 percent or higher, or stabilized with lime and/or magnesia. (State hafnium content.) (14) ¹⁰ Pigments: Cobalt oxide. Ion microscopes having a resolving power better than 10 angstrom units, and specially fabricated parts and accessories, n.e.c. ¹¹	No.	CONS	None	RO
77119			CONS	None	RO
77516		Lb.	CONS	500	RO
77516		Lb.	CONS	500	RO
77585			GIEQ	250	RO
77588			GIEQ	250	RO
77590			GIEQ	None	RO
78730		No.	CONS 1	None	R
78735		No.	CONS 1	None	R
83090		Lb.	SALT 1	1	RO
84290		Lb.	SALT 1	100	RO
91405			SATE 2	100	RO

See footnotes at end of table.

¹ The GLV dollar value limit is increased.
² The GLV dollar value limit is decreased, effective Dec. 20, 1958.
³ The processing code is changed or related commodity group number is changed (see § 372.5 (f)).
⁴ The symbol "A" is added in the column headed "Commodity Lists," indicating that on and after Feb. 2, 1959, an Import Certificate (or a Hong Kong Import License) will be required in support of a license application covering exportation of these commodities to the countries specified in § 372.2.
⁵ The symbol "A" is deleted in the column headed "Commodity Lists," indicating that the commodity is no longer subject to the IC/DV procedure (see § 372.2).
⁶ The symbol "P" is added in the column headed "Commodity Lists," indicating that the commodity may now be exported under the Periodic Requirements licensing procedure. (See Part 370.)
⁷ The symbol "E" is deleted in the column headed "Commodity Lists," indicating that the commodity may no longer be exported under the Periodic Requirements licensing procedure (see Part 370), effective Jan. 17, 1960.
⁸ The symbol "G" is deleted in the column headed "Commodity Lists," indicating that the commodity may be exported to Group O destinations under General License GLV, within the \$500 dollar-value limit provisions (see § 371.10(d)).
⁹ The commodity description is revised without substantive change.
¹⁰ The unit of quantity is changed.
¹¹ The commodity coverage is decreased.
¹² For the most part the commodity coverage is decreased; however, the revised entry also reflects some increase in commodity coverage, effective Dec. 20, 1958.
¹³ The commodity coverage is increased, effective Dec. 20, 1958.
¹⁴ A reporting requirement is added.
¹⁵ Two entries are substituted for an entry presently on the Positive List under this Schedule B No.
¹⁶ Three entries are substituted for an entry presently on the Positive List under this Schedule B No.
¹⁷ A reporting requirement is deleted.

This part of the amendment shall become effective as of December 18, 1958, except as otherwise indicated in the footnotes.

Shipments of any commodities moved from general license to Country Group R or Country Group O destinations as a result of changes set forth in parts b and c above which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., December 29, 1958, may be exported under the previous general license provisions up to and including January 17, 1959. Any such shipment not laden aboard the exporting carrier on or before January 17, 1959 requires a validated license for export.

2. Section 399.2 Appendix B—Commodity Interpretations is amended by adding the following interpretations:

INTERPRETATION 19: GEAR MAKING AND FINISHING MACHINERY

Certain types of gear-making and gear-finishing machines, Schedule B Nos. 74086 through 74112, are included on the Positive List only if they are capable of producing

gears finer than 48 diametral pitch. In order to clarify the meaning of these Positive List entries, the term "finer than 48 diametral pitch" is defined below, and examples are given of how diametral pitch is computed. In addition, there is also given below an explanation of how to distinguish between "generating type gear tooth grinding machines," Schedule B No. 74100, and non-generating types of grinding machines.

Diametral pitch of a gear is determined by dividing the number of teeth on the gear by the length of the pitch diameter. ("Pitch diameter" is the diameter of the gear measured at those points on the gear teeth where they make contact with the teeth of a mated gear.) The larger the proportion of teeth to pitch diameter, the finer the diametral pitch.

Example of diametral pitch: If a gear has a 1-inch pitch diameter and has 48 teeth, the ratio would be 48:1, or a 48 diametral pitch gear. Additional teeth in the same pitch diameter gear, i.e., 49, would result in a finer diametral pitch; fewer teeth, i.e., 47, would result in a gear of coarser diametral pitch.

Examination of a gear making or finishing machine may not disclose whether it is capable of producing a gear of finer than 48 diametral pitch. If the exporter has no information on the ability of the machine to

be exported for making gears of finer than 48 diametral pitch, he should obtain the information from the manufacturer or distributor.

Generating type gear-tooth grinding machines are those in which the grinding wheel and the gear are both power-driven for continuous circular motion while grinding, rather than an intermittent or indexing operation as with the non-generating type.

INTERPRETATION 20: ELECTRONIC CLOSED LOOP FEED-BACK CONTROLS

Closed loop electronic feed-back control systems for machine tools are systems incorporating a means of sensing the position of the work piece in relation to the machine tool and automatically correcting any difference between the actual and the programmed performance on the work piece.

The entire system may be incorporated in or on the machine, or the control features may be separated from the machine but joined for operation by cables or wiring. Where shipped complete with the machine, use the proper Schedule B number of the machine. When the control unit is to be shipped separately, report the unit under Schedule B number 76650.

Open loop systems may be entirely automatic, may be electronic and may carry out a complete machining operation on the basis

of a program contained on punched cards, or tape, or by other means, but they are not on the Positive List because they do not contain automatic sensing and correction devices.

This part of the amendment shall become effective as of December 18, 1958.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,

Bureau of Foreign Commerce.

[F.R. Doc. 59-340; Filed, Jan. 15, 1959;
8:45 a.m.]

[9th Gen. Rev. of Export Regs., Amdt. P.L. 7¹]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Schedule B Numbers

Section 399.1 *Appendix A—Positive List of Commodities* is amended by revising the Schedule B numbers for the following entries to read as follows:

Dept. of Commerce Schedule B No.	Commodity
65462	Nickel alloy metal scrap containing 32 percent or more nickel. (See § 399.2, Interpretations 10 and 12.)
65462	Nickel metal scrap except spent nickel catalyst, and nickel alloy scrap containing less than 32 percent nickel. (See § 399.2, Interpretations 10 and 12.)
65467	Nickel alloy metal, containing 32 percent or more nickel, in rods and bars.
65467	Nickel metal, and nickel alloy metal containing less than 32 percent nickel, in rods and bars.
65467	Nickel alloy metal, containing 32 percent or more nickel, in ingots, and other crude forms. (Report nickel-silver in 64400-64490.)
65467	Nickel metal, and nickel alloy metal containing less than 32 percent nickel, in ingots, cathodes and other crude forms.
65467	Nickel alloy metal sheets, plates, and strip containing 32 percent or more nickel. (Report nickel-silver in 64400-64490.)
65467	Nickel metal, and nickel alloy metal containing less than 32 percent nickel, in sheets, plates, and strip. (Report nickel-silver in 64400-64490.)

This amendment shall become effective as of January 1, 1959.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,

Bureau of Foreign Commerce.

[F.R. Doc. 59-341; Filed, Jan. 15, 1959;
8:45 a.m.]

Title 14—CIVIL AVIATION

Chapter II—Federal Aviation Agency

[Amdt. 5]

PART 575—FEDERAL CIVIL AIRPORTS ON CANTON AND WAKE ISLANDS

Postponement of Effective Date

Upon petition by interested persons, Amendment No. 2 of Part 575 published in the FEDERAL REGISTER on October 23, 1958 (23 F.R. 8155), scheduled to become effective on January 1, 1959, is hereby amended to become effective on February 1, 1959.

(Sec. 10, 62 Stat. 453; 49 U.S.C. 1159 as amended sec. 1403 of the Federal Aviation

Act of 1958, Act of August 23, 1958, 72 Stat. 752, 808 (P.L. 85-726))

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-389; Filed, Jan. 15, 1959;
8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

Railroad Lessor Company Annual Report Form E

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 2d day of January A.D. 1959.

It appearing that the matter of annual reports from lessors to railroad companies being under further consideration, and the changes to be effectuated by this order being minor changes in the

¹ This amendment was published in Current Export Bulletin 809, dated December 29, 1958.

data to be furnished, rule-making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That the order of December 10, 1957, in the matter of Railroad Lessor Company Annual Report Form E, be, and it is hereby, modified and amended with respect to annual reports for the year ended December 31, 1958, and subsequent years, to read as shown below.

It is further ordered, That § 120.14, be, and it is hereby, modified and amended to read as follows:

§ 120.14 Form prescribed for lessors to railroads.

Commencing with the year ended December 31, 1958, and for subsequent years thereafter, until further order, all lessors to railroad companies subject to the provisions of section 20, part I, of the Interstate Commerce Act, are required to file annual reports in accordance with Annual Report Form E, Railroad Lessor Companies, which is attached hereto¹ and made a part of this section. Such annual reports shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the year to which it relates.

And it is further ordered, That copies of this order and of Annual Report Form E shall be served on all lessors to railroad companies subject to the provisions of section 20, part I, of the Interstate Commerce Act, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the Director, Federal Register Division.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U.S.C. 12, 904. Interpret or apply sec. 20, 24 Stat. 386, as amended, 54 Stat. 944; 49 U.S.C. 20, 913)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-409; Filed, Jan. 15, 1959;
8:48 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

125 CFR Part 163 I

ROADLESS AND WILD AREAS ON INDIAN RESERVATIONS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority

¹ Filed as part of the original document.

vested in the Secretary of the Interior by section 463 of the Revised Statutes (25 U.S.C. 2), it is proposed to amend 25 CFR Part 163 as set forth below. The purpose of this amendment is to exclude the 325,000 acres on the San Carlos-Ft. Apache Reservation known as the Black River Area from the list of roadless areas heretofore set forth in § 163.1 of Title 25, CFR, so as to facilitate the economic development of the area.

This proposed amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, whenever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit in triplicate, written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 12, 1959.

Section 163.1 of Part 163 is amended to read as follows:

§ 163.1 Roadless areas.

A roadless area for the purpose of this part is one which contains no provision for the passage of motorized transportation and which is at least 100,000 acres in forested country or at least 500,000 acres in non-forested country. The following are established as roadless areas on Indian reservations:

Name of area; reservation; and approximate acreage

Rainbow Bridge; Navajo; 1,590,000.
Black Mesa; Navajo; 820,000.
Painted Desert; Navajo; 525,000.
Wind River Mountains; Shoshone; 220,000.
Columbia-San Poil Divide; Colville; 155,000.
Mt. Thomas; Ft. Apache; 130,000.
Mission Range; Flathead; 125,000.
Mesa Verde; Consolidated Ute; 115,000.
Goat Rocks; Yakima; 105,000.

The boundaries of these areas are described in the appendix to this part.¹

[F.R. Doc. 59-404; Filed, Jan. 15, 1959; 8:47 a.m.]

[25 CFR Part 221]

OPERATION AND MAINTENANCE CHARGES

Colorado River Indian Irrigation Project, Arizona

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385-387), it is proposed to amend 25 CFR 221.6 as set forth below. The purpose of this amendment is to increase

¹ The appendix to this part is not codified. It appears, however, at 3 F.R. 709-711, Mar. 22, 1938.

the annual operation and maintenance assessment rate from \$6.00 to \$8.00 per acre, and to establish the maximum per acre feet of water per acre per annum at 8 acre feet for certain described sandy areas.

The proposed amendment relates to matters which are subject to section 4 of the rule making requirements of the Administrative Procedures Act of June 11, 1946 (60 Stat. 238). Accordingly, interested persons may submit comments, suggestions, or objections with respect to the proposed amendments to the Area Director, Bureau of Indian Affairs, P.O. Box 7007, Phoenix, Arizona, within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 12, 1959.

Section 221.6 is amended to read as follows:

§ 221.6 Charges.

The annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed at \$8.00 per irrigable acre, whether water is used or not. Payment of this charge will entitle the water user to, but not in excess of, eight acre-feet of water per acre per annum on certain sandy areas as described in a schedule on file at the Colorado Indian Agency, and available for inspection by interested parties, and to five acre feet of water per annum per irrigable acre on all other lands. With the approval of the Superintendent, additional water, reasonably sufficient to carry away alkali salts, may be allowed on certain alkali tracts at no additional charge for the purpose of reclaiming lands by the usual methods, such as flooding and leaching. The foregoing charges and allotments of water shall become effective for the calendar year 1959 and continue in effect thereafter, until further notice.

[F.R. Doc. 59-403; Filed, Jan. 15, 1959; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

U.S. STANDARDS FOR GRADES OF FROZEN SPINACH

Extension of Time

A second proposal for revision of United States Standards for Grades of Frozen Spinach was set forth in the notice which was published in the FEDERAL REGISTER on August 22, 1957 (22 F.R. 6767).

In consideration of data, comments, and suggestions received indicating the need for further study of the proposed changes, notice is hereby given of an extension until June 30, 1959, of the period of time within which written data, views, and arguments may be sub-

mitted by interested parties for consideration in connection with the aforesaid proposed revision of United States Standards for Grades of Frozen Spinach.

Dated: January 13, 1959.

[SEAL] ROY W. LENNARTSON,
*Deputy Administrator,
Marketing Services.*

[F.R. Doc. 59-434; Filed, Jan. 15, 1959; 8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of S-(p-Chlorophenylthiomethyl) O,O-Diethyl Phosphorodithioate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

A petition has been filed by Stauffer Chemical Company, Chauncey, New York, proposing the establishment of tolerances for residues of S-(p-chlorophenylthiomethyl) O,O-diethyl phosphorodithioate in or on raw agricultural commodities as follows:

0.8 part per million in or on cucumbers, figs, garlic, leeks, onions (dry bulb) onions (green), shallots, summer squash.

0.2 part per million in or on undelimited cottonseed.

The analytical method proposed in the petition for determining residues of S-(p-chlorophenylthiomethyl) O,O-diethyl phosphorodithioate is a modification of that published in the FEDERAL REGISTER of May 4, 1957 (22 F.R. 3186).

Dated: January 12, 1959.

[SEAL] ROBERT S. ROE,
*Director,
Bureau of Biological
and Physical Sciences.*

[F.R. Doc. 59-410; Filed, Jan. 15, 1959; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 3]

[Docket No. 12673; FCC 59-12]

BROADCAST APPLICATION FORMS

Extension of Time for Filing

In the matter of amendment of section IV (Statement of Program Service) of Broadcast Application Forms 301, 303, 314 and 315; Docket No. 12673.

At a session of the Federal Communications Commission held at its offices in

Washington, D.C. on the 7th day of January 1959;

The Commission having under consideration (1) the Notice of Proposed Rule Making in the above-entitled matter adopted on November 19, 1958, and released November 24, 1958; and (2) a request filed on December 22, 1958, by the National Association of Broadcasters (NAB) asking for an extension of time, from January 19, 1959 to March 20, 1959, in which to file comments in the Proposed Rule Making proceedings; and

It appearing that in support of its request NAB points out that the matters of form and substance inherent in this proceeding are of importance to the broadcasting industry; that it is anticipated that many broadcasters may wish to submit individual comments; and that the filing of such individual comments has been retarded because of the delays necessarily attendant upon the intervening holiday season and because many individual licensees did not have copies of the full Notice of Proposed Rule Making; and

It further appearing that good cause has been shown for extending the time for filing comments in the above-entitled proceedings for a period of 30 days;

It is ordered, That the above request is granted, and that the time for filing comments is extended from January 19, 1959, to February 18, 1959.

Released: January 13, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-420; Filed, Jan. 15, 1959;
8:49 a.m.]

[47 CFR Part 12]

[Docket No. 12728; FCC 59-19]

AMATEUR RADIO SERVICE

Notice of Proposed Rule Making

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it for consideration the petition of Mr. Robert K. Wallace, R.R. No. 1, Box No. 7, Bellbrook, Ohio, licensee of amateur station K8BYQ, for amendment of Part 12 of the Commission's rules to permit operating privileges for Technician Class amateur operators¹ in the 144-148 Mc. amateur band.

3. In support of the request, petitioner states:

The occupancy of the 144 Mc. band has decreased steadily since the 50-54 Mc. band has enjoyed such phenomenal growth and definitely needs more activity to prevent the steady exodus of all VHF minded amateurs to more populated bands. The Technician Class licensee could most certainly make emergency communication nets on the 144 Mc. band much more effective. Since the efficiency with which any emergency communication group can operate is admittedly directly related to operator availability, it therefore, should stand to reason that the greater number of people operating on the

144 Mc. band (if it were opened to the Tech.) would mean a greater number would be available to provide emergency communications at any given time. The A.R.R.L.'s primary reason for opposition to 144 Mc. occupation by the Technician was the desire to concentrate the Technician in 50 Mc. band and therefore populate a band which up to that time was occupied by only a "handful" of hardy pioneers. This concentration would in effect "save the 6-meter band". The Technician has performed his job well by flocking to the 50-54 Mc. band literally by the hundreds and with the increase in activity the bands population continued and is continuing to "mushroom". Many General Class amateurs have returned to the 6-meter band simply because of the increase in activity caused by the Technician influence.

In addition, petitioner states that by being given access to the 144-148 Mc band, the Technician would be enabled to experiment in an additional area of the spectrum and contribute to the general knowledge of radio propagation characteristics of that region.

4. As stated by the petitioner, the Commission, on September 1, 1954; adopted a Notice of Proposed Rule Making in Docket Number 11157 which proposed to permit "Technicians" to operate in the 50-54 and 144-148 Mc amateur bands. On March 9, 1955, the Commission issued a report and order in this proceeding by which § 12.23(d) of the rules was amended so as to add only the 50-54 Mc band to those bands in which "Technicians" are permitted to operate. In this report and order the Commission gave the following explanation for not amending the rule so as to include the 144-148 Mc band among those in which "Technicians" are permitted to operate:

As evidenced by the comment received, there appears to be considerable controversy as to whether technicians should be allowed to operate in the 144 Mc band. Because of the opposition expressed by the American Radio Relay League, and because it does not find the arguments expressed in the comments otherwise decisive, the Commission is hereby dismissing that portion of the proposed amendment having to do with technician privileges in the 144 Mc amateur frequency band.

5. The opposition of the American Radio Relay League, Inc. (A.R.R.L.), referred to by the Commission in the above quoted excerpt from the Decision in Docket Number 11157, included the following: That, since the war, the 144 Mc band has had its proportionate share of amateur use, and, with the opening of a substantial segment of it for use by Novice Class licensees in 1951, occupancy has increased to more than adequate level; that, "obtaining equipment for the 144 Mc band is a much simpler problem than for 50 Mc;" and that "the only result would be greatly increased occupancy of the already-populated 144 Mc band and little—or, more likely, no—increase in 50 Mc activity." The League concluded: "Thus we see no immediate need for regulatory action to promote usage of the band."

6. In view of the large growth of the amateur service and the fact that almost four years have passed since that action was taken, for several reasons it appears that a re-examination of the proposition

is appropriate at this time. Among these reasons are: First, the Commission is aware that since the opening of the 50-54 Mc band to "Technicians", equipment for operating in that band has become more readily available and that activity in the 50-54 Mc band has increased at a greater rate than in the 144-148 Mc band. It would therefore appear that opening the 144-148 Mc band for "Technicians" would result in a more nearly even distribution of activity in the VHF amateur bands; Second, it would provide an additional band in which "Technicians" could experiment, thereby contributing to the general knowledge concerning this portion of the spectrum; Third, it would broaden the area in which "Technicians" could participate in civil defense activities since their activities in the band would increase the total amount of available equipment capable of operating in the 144 Mc band; and Fourth, subsequent to the Commission's action in Docket 11157, operation by "Technicians" in the bands between 220 and 10,500 Mc has been made subject to the requirement that such operation "shall not cause harmful interference to the Government Radiopositioning Service." In view of the foregoing, it is believed to be appropriate at this time to re-examine the question of Technician Class amateur operator occupancy of the 144-148 Mc amateur band.

7. Accordingly, the Commission proposes to amend § 12.23(d) as shown below.

8. The proposed amendments are issued pursuant to the authority contained in sections 4(i) and 303 of the Communications Act of 1934 (47 U.S.C. 154, 303).

9. Any interested person who is of the opinion that the proposed amendments should not be adopted or should not be adopted in the form set forth herein, may file with the Commission on or before March 31, 1959 written data, views or briefs setting forth his comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments in reply to the original comments may be filed within ten days from the last day for filing said original data, views or briefs. The Commission will consider all such comments prior to taking final action in this matter.

10. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and fourteen copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: January 7, 1959.

Released: January 13, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

It is proposed to amend § 12.23(d) to read as follows:

(d) *Technician class.* All authorized amateur privileges in the amateur frequency bands above 50 megacycles.

[F.R. Doc. 59-421; Filed, Jan. 15, 1959;
8:49 a.m.]

¹ Hereinafter referred to as "Technicians".

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 563]

[No. FSLIC-580]

OPERATIONS

Mergers, Consolidations, or Purchases of Bulk Assets and Premiums in Such Cases

EDITORIAL NOTE: Federal Register Document 59-49 was published under Title 12, Chapter V at page 48 in the issue for Saturday, January 3, 1959. It is a proposed rule making document and should have appeared in the Proposed Rule Making Section.

FEDERAL TRADE COMMISSION

[16 CFR Parts 19, 200, 213, 219, 224,
225, 227]

FALSE AND MISLEADING PRICE QUOTATIONS AND FALSE INVOICING RULES FOR CERTAIN INDUSTRIES

Notice of Hearing and of Opportunity To Present Views, Suggestions, or Objections

In the matter of proposed revision of false and misleading price quotations and false invoicing rules for: Feather and Down Products Industry—16 CFR Part 200, File No. 21-192; Fire Extinguishing Appliance Industry—16 CFR Part 224, File No. 21-259; Gummed Paper and Sealing Tape Industry—16 CFR Part 19, File No. 21-470; Industrial Bag and Cover Industry—16 CFR Part 213, File No.

21-449; Tobacco Smoking Pipe, and Cigar and Cigarette Holder Industry—16 CFR Part 225, File No. 21-444; Waterproof Paper Industry (Asphaltic Type)—16 CFR Part 219, File No. 21-454; Wholesale Plumbing and Heating Industry—16 CFR Part 227, File No. 21-460.

Trade practice rules for the above-named industries were promulgated by the Commission during the period from August 4, 1953, to June 24, 1955. Subsequent to that period, the Commission has approved new forms of rules covering the subjects of False and Misleading Price Quotations and False Invoicing. The Fire Equipment Manufacturers' Association, Inc., has requested that the rule on False and Misleading Price Quotations in the rules for the Fire Extinguishing Appliance Industry be brought into conformity with the more recently approved version of the rule covering the same subject and the Commission, on its own motion, is considering a similar revision of the other rules named above, to be accomplished by deletion of the words set forth below in the notice of scheduled hearing:

Opportunity is hereby extended by the Federal Trade Commission to all members of the industries named above and other parties who may be affected by or have an interest in the trade practice rules for such industries, to present to the Commission their views concerning the proposed revisions, as hereinafter set forth, to the trade practice rules heretofore promulgated by the Commission for their respective industries:

1. Feather and Down Products Industry, 16 CFR 200.12, entitled "False Invoicing," by deletion of the word "dealers."

2. Fire Extinguishing Appliance Industry, 16 CFR 224.4, entitled "False and Misleading Price Quotations, etc.," by

deletion of the words "members of the industry or."

3. Gummed Paper and Sealing Tape Industry, 16 CFR 19.5, entitled "False and Misleading Price Quotations, etc.," by deletion of the words "members of the industry or."

4. Industrial Bag and Cover Industry, 16 CFR 213.6, entitled "False and Misleading Price Quotations, etc.," by deletion of the words "members of the industry or" and 16 CFR 213.13, entitled "False Invoicing," by deletion of the word "dealers."

5. Tobacco Smoking Pipe, and Cigar and Cigarette Holder Industry, 16 CFR 225.8, entitled "False Invoicing," by deletion of the word "dealers."

6. Waterproof Paper Industry (Asphaltic Type), 16 CFR 219.6, entitled "False and Misleading Price Quotations, etc.," by deletion of the words "members of the industry or."

7. Wholesale Plumbing and Heating Industry, 16 CFR 227.6, entitled "False Invoicing," by deletion of the word "competitors."

Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication to be filed with the Commission not later than Friday, February 6, 1959.

Opportunity for all concerned to be heard orally will be afforded at the hearing beginning at 10 a.m., e.s.t., Friday, February 6, 1959, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C.

Issued: January 13, 1959.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-401; Filed, Jan. 15, 1959;
8:46 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[1959 Dept. Circular 1019]

3¼ PERCENT TREASURY NOTES OF SERIES B-1960

Offering of Notes

JANUARY 12, 1959.

I. Offering of notes. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at 99¾ and accrued interest, from the people of the United States for notes of the United States, designated 3¼ percent Treasury Notes of Series B-1960. The amount of the offering under this circular is \$2,500,000,000, or thereabouts. The books will be open only on January 12, 1959 for the receipt of subscriptions for this issue.

II. Description of notes. 1. The notes will be dated January 21, 1959, and will bear interest from that date at the rate of 3¼ percent per annum, payable on a semiannual basis on May 15 and November 15, 1959, and May 15, 1960. They will mature May 15, 1960, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, \$1,000,000 \$100,000,000 and \$500,000,000. The notes will not be issued in registered form.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than commercial banks will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their

[1959 Dept. Circular 1020]

4 PERCENT TREASURY BONDS OF 1980**Offering of Bonds**

JANUARY 12, 1959.

own account will be received without deposit, but will be restricted in each case to an amount not exceeding 50 percent of the combined capital, surplus and undivided profits, of the subscribing bank. Subscriptions from all others must be accompanied by payment of 2 percent of the amount of notes applied for, not subject to withdrawal until after allotment. Following allotment, any portion of the 2 percent payment in excess of 2 percent of the amount of notes allotted may be released upon the request of the subscribers.

2. All subscribers are required to agree not to purchase or to sell, or to make any agreements with respect to the purchase or sale or other disposition of any notes of this issue, until after January 12, 1959.

3. Commercial banks in submitting subscriptions will be required to certify that they have no beneficial interest in any of the subscriptions they enter for the account of their customers, and that their customers have no beneficial interest in the banks' subscriptions for their own account.

4. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of notes applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment at 99 $\frac{3}{4}$ and accrued interest, if any, for notes allotted hereunder must be made or completed on or before January 21, 1959, or on later allotment. In every case where payment is not so completed, the payment with application up to 2 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for notes allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits when so notified by the Federal Reserve Bank of its District.

V. General provisions. 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] ROBERT B. ANDERSON,
Secretary of the Treasury.

[FR. Doc. 59-416; Filed, Jan. 15, 1959;
8:49 a.m.]

I. Offering of bonds. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at 99 and accrued interest, from the people of the United States for bonds of the United States, designated 4 percent Treasury Bonds of 1980. The amount of the offering under this circular is \$750,000,000, or thereabouts. In addition to the amount offered for public subscription, the Secretary of the Treasury reserves the right to allot up to \$75,000,000 of these bonds to Government Investment Accounts. The books will be open only on January 12 and January 13 for the receipt of subscriptions for this issue.

2. Deferred payment for bonds allotted hereunder may be made as provided in Section IV hereof by any of the following subscribers, who for this purpose are defined as savings-type investors:

Pension and Retirement Funds—public and private.
Endowment Funds.
Insurance Companies.
Mutual Savings Banks.
Fraternal Benefit Associations and Labor Unions' insurance funds.
Savings and Loan Associations.
Credit Unions.
Other Savings Organizations (not including commercial banks).
States, Political Subdivisions or instrumentalities thereof, and Public Funds.

II. Description of bonds. 1. The bonds will be dated January 23, 1959, and will bear interest from that date at the rate of 4 percent per annum, payable on a semiannual basis on August 15, 1959, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature February 15, 1980, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. Any bonds issued hereunder which upon the death of the owner constitute

part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment: ¹Provided:

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the District Director of Internal Revenue at _____ for credit on Federal estate taxes due from estate of _____". Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date; ² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782, ³ properly completed, signed and certified, and by proof of the representatives' authority in the form of a court certificate or a certified copy of the representatives' letters of appointment issued by the court. The certificate, or the certification to the letters, must be under the seal of the court, and except in the case of a corporate representative, must contain a statement that the appointment is in full force and be dated within six months prior to the submission of the bonds, unless the certificate or letters show that the appointment was made within one year, immediately prior to such submission. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the District Director of Internal Revenue.

6. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches

¹An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

²The transfer books are closed from January 16 to February 15, and from July 16 to August 15 (both dates inclusive) in each year.

³Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington 25, D.C.

and at the Office of the Treasurer of the United States, Washington. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than commercial banks will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be received without deposit but will be restricted in each case to an amount not exceeding 4 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations, and other organizations not operated for profit), and of savings deposits, or 10 percent of the combined capital, surplus and undivided profits, of the subscribing bank, whichever is greater. Subscriptions from States, political subdivisions or instrumentalities thereof, and public pension and retirement and other public funds also will be received without deposit. Subscriptions from all others must be accompanied by payment of 15 percent of the amount of bonds applied for, not subject to withdrawal until after allotment; provided, however, that all subscriptions up to a maximum of \$25,000 will be allotted in full if accompanied by 100 percent payment at the time of entering the subscriptions. Following allotment, any portion of the 15 percent payment in excess of 15 percent of the amount of bonds allotted may be released upon the request of the subscribers.

2. All subscribers will be required to agree not to purchase or to sell, or to make any agreements with respect to the purchase or sale or other disposition of any bonds of this issue, until after January 13, 1959.

3. Commercial banks in submitting subscriptions will be required to certify that they have no beneficial interest in any of the subscriptions they enter for the account of their customers, and that their customers have no beneficial interest in the banks' subscriptions for their own account.

4. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at 99 and accrued interest, if any, for bonds allotted hereunder must be made or completed on or before January 23, 1959: *Provided, however,* That where a subscriber eligible to defer payment under Section I hereof elects to defer payment for part of the bonds allotted, not less than 25 percent of the bonds allotted must have been paid for by January 23, 1959, not less than 50 percent must have been paid for by February 24, 1959, not less than 75 percent must have been paid

No. 11—3

for by March 23, 1959, and full payment must be completed by April 23, 1959. All payments made subsequent to January 23, 1959, must be accompanied by accrued interest from that date, at the rate of \$0.1096 per \$1,000 per day. Where partial payment for bonds allotted is to be deferred beyond January 23, 1959, delivery of 5 percent of the total par amount of bonds allotted, adjusted to the next higher \$500, will be withheld from all subscribers (except States, political subdivisions or instrumentalities thereof, and public pension and retirement and other public funds) until payment for the total amount allotted has been completed. In every case where payment is not so completed the 5 percent so withheld shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. In all other cases, where payment is not completed on or before January 23, 1959, or on later allotment, the payment with application up to 15 percent of the amount of bonds allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] ROBERT B. ANDERSON,
Secretary of the Treasury.

[F.R. Doc. 59-417; Filed, Jan. 15, 1959;
8:49 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

JOHANNA JUNKER

Notice of Intention to Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Johanna Junker, a/k/a Johanna Appel Offenbach/Main, Germany; #558.42 in the Treasury of the United States.

Vesting Order No. 5216; Claim No. 43066

Executed at Washington, D.C., on January 7, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON,
*Deputy Director,
Office of Alien Property.*

[F.R. 59-413; Filed, Jan. 15, 1959
8:48 a.m.]

[Bar Order SA-6]

CERTAIN BULGARIAN, HUNGARIAN AND RUMANIAN DEBTORS

Order Fixing Bar Date for Filing Deb Claims

In accordance with section 208(b) of the International Claims Settlement Act of 1949, as amended, and by virtue of the authority vested in the Attorney General by said Act and Executive Order No. 10644, July 1, 1959 is hereby fixed as the date after which the filing of debt claim shall be barred in respect of Bulgarian, Hungarian and Rumanian debtors, any of whose property was first vested in or transferred to the Attorney General between July 1, 1958 and December 31, 1958, inclusive.

(Public Law 285, 84th Cong., 69 Stat. 252 E.O. 10644, November 7, 1955, 20 F.R. 8363)

Executed at Washington, D.C., the 9th day of January 1959.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F.R. Doc. 59-414; Filed, Jan. 15, 1959
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. 168]

NEVADA

Small Tract Classification

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F.R. 2473), I hereby classify the following described public lands, to talling 40 acres in Lyon County Nevada as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 4 U.S.C. 682a), as amended:

MOUNT DIABLO MERIDIAN

T. 13 N., R. 25 E.,
Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

2. Classification of the above-described lands by this order segregate them from all appropriations, including locations under the mining laws, except as to applications under the miners leasing laws.

3. The lands classified by this order shall not become subject to application under the Small Tract Act of June

1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to veterans of World War II and of the Korean conflict and other qualified persons entitled to preference under the Act of September 27, 1944 (58 Stat. 497; 43 U.S.C. 279-284), as amended.

4. All valid applications filed prior to January 6, 1959, will be granted, as soon as possible, the preference right provided for by 43 CFR 257.5(a).

CHARLES E. HANCOCK,
Acting State Supervisor.

JANUARY 7, 1959.

[F.R. Doc. 59-405; Filed, Jan. 15, 1959; 8:47 a.m.]

[Classification No. 169]

NEVADA

Small Tract Classification

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F.R. 2473), I hereby classify the following described public lands, totalling 180 acres in Ormsby County Nevada, as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a), as amended:

MOUNT DIABLO MERIDIAN

T. 15 N., R. 19 E.,
Sec. 1, NW¼SE¼, E½SE¼.

T. 15 N., R. 20 E.,
Sec. 21, SE¼SW¼;
Sec. 30, W½SW¼SE¼.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to veterans of World War II and of the Korean conflict and other qualified persons entitled to preference under the Act of September 27, 1944 (58 Stat. 497; 43 U.S.C. 279-284), as amended.

4. All valid applications filed prior to January 6, 1959, will be granted, as soon as possible, the preference right provided for by 43 CFR 257.5(a).

CHARLES E. HANCOCK,
Acting State Supervisor.

JANUARY 7, 1959.

[F.R. Doc. 59-406; Filed, Jan. 15, 1959; 8:47 a.m.]

[Classification No. 170]

NEVADA

Small Tract Classification

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated

April 21, 1954 (19 F.R. 2473), I hereby classify the following described public lands, totalling 900 acres in Washoe County, Nevada, as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a), as amended:

MOUNT DIABLO MERIDIAN

T. 21 N., R. 19 E.,
Sec. 12, E½;
Sec. 24, SE¼NW¼, N½SW¼.

T. 21 N., R. 20 E.,
Sec. 8, S½, S½S½NE¼, W½NW¼, S½SE¼NW¼.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to veterans of World War II and of the Korean conflict and other qualified persons entitled to preference under the Act of September 27, 1944 (58 Stat. 497; 43 U.S.C. 279-284), as amended.

4. All valid applications filed prior to May 28, 1956, will be granted, as soon as possible, the preference right provided for by 43 CFR 257.5(a).

CHARLES E. HANCOCK,
Acting State Supervisor.

JANUARY 7, 1959.

[F.R. Doc. 59-407; Filed, Jan. 15, 1959; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

HOOPER AUCTION CO., INC., ET AL.

Proposed Posting of Stockyards

The Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the act.

- Hooper Auction Co., Inc., Montgomery, Ala.
- Abbeville Commission Company, Abbeville, La.
- Community Auction Barn, DeQuincy, La.
- Farmerville Livestock Auction, Farmerville, La.
- Grand Cane Livestock Commission Co., Grand Cane, La.
- Joe Tate Commission Barn, Ville Platte, La.
- Leesville Livestock Commission Co., Leesville, La.
- Micelle's Commission Yard, Lake Charles, La.
- Oak Grove Livestock Auction, Oak Grove, La.
- Ruston Stockyards, Inc., Ruston, La.
- Volron's Stockyard, Thibodaux, La.
- Amory Commission Company, Amory, Miss.
- Booneville Commission Company, Booneville, Miss.
- Case Stockyards, Meadville, Miss.

- Chickasaw Commission Company, Houston, Miss.
- Claiborne County Stockyards, Port Gibson, Miss.
- Clay County Stockyard, West Point, Miss.
- Corinth Livestock Commission Co., Corinth, Miss.
- Fairchilds Livestock Commission, Inc., Hazlehurst, Miss.
- Felders Livestock Sales Co., Summit, Miss.
- George County Stockyards, Lucedale, Miss.
- Gulfport Livestock Yards, Gulfport, Miss.
- Henderson Sales Company, Corinth, Miss.
- Henderson Sales Company, Philadelphia, Miss.
- Hinds County Livestock Sales, Edwards, Miss.
- Jasper County Livestock Sales, Bay Springs, Miss.
- Jefferson County Stockyards, Fayette, Miss.
- Knight Bros. Sales, Carthage, Miss.
- Knight Brothers Sales, Louisville, Miss.
- Lincoln County Livestock Commission Co., Inc., Brookhaven, Miss.
- Livestock Producers Association, Tyertown, Miss.
- Luther E. Tadlock Stockyard, Forest, Miss.
- Lum's Commission Company, Vicksburg, Miss.
- Moore & Woods, Macon, Miss.
- New Albany Sales Co., New Albany, Miss.
- Pontotoc Sales Company, Pontotoc, Miss.
- Ripley Sales Company, Ripley, Miss.
- Richton Stockyard, Richton, Miss.
- Starkville Livestock Commission Company, Starkville, Miss.
- Staté Line Auction Company, Walnut, Miss.
- W. H. Hodges & Company of Mississippi, Inc., Liberty, Miss.
- Wilson and Jackson Commission Co., Pontotoc, Miss.
- Snyder Livestock Sales Company, Snyder, Okla.
- Walters Livestock Auction, Walters, Okla.
- Atascosa Livestock Exchange, Inc., Pleasanton, Tex.
- Caldwell Livestock Commission Co., Caldwell, Tex.
- Crowley Auction Sale, Crowley, Tex.
- Delta Sales Yard, Elsa, Tex.
- Farmers Livestock Exchange, Schulenburg, Tex.
- Floresville Livestock Commission Co., Floresville, Tex.
- Llano Sales Company, Llano, Tex.
- Matthews Livestock Commission Co., San Saba, Tex.
- Robstown Livestock Commission Co., Robstown, Tex.
- Seguin Cattle Co., Seguin, Tex.

Notice is hereby given, therefore, that the said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of January 1959.

[SEAL] DAVID M. PETTUS,
*Director, Livestock Division,
Agricultural Marketing Service.*

[F.R. Doc. 59-435; Filed, Jan. 15, 1959; 8:51 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF JAVA PACIFIC
RATE AGREEMENT ET AL.Notice of Agreements Filed for
Approval

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U.S.C. 814):

(1) Agreement No. 191-3, between the member lines of the Java Pacific Rate Agreement, modifies the basic agreement of that conference (No. 191, as amended), which covers the trade from Indonesia exclusive of the ports on the East Coast of Sumatra between Langsa and Indragiri, both inclusive, to ports on the West Coast of North America. The purpose of the modification is to provide that any party whose service has been discontinued for a period of longer than six (6) months, instead of three (3) months as presently provided, shall not have the right to vote on matters which have to do with the conference procedure.

(2) Agreement No. 7090-5, between the member lines of the Straits/Pacific Conference, modifies the basic agreement of that conference (No. 7090, as amended) which covers the trade from Colony of Singapore and Federation of Malaya to San Francisco, Oakland, Los Angeles Harbor, Vancouver and Victoria, B.C., Seattle, Tacoma, Portland and Honolulu. The purpose of the modification is to extend the scope of the agreement to include traffic to all ports on the Pacific Coast of the United States and Canada, as well as to all ports in the Hawaiian Islands.

(3) Agreement No. 8100-2, between the member lines of the Siam/New York Conference, modifies the basic agreement of that conference (No. 8100), which covers the trade from ports in Siam to United States Atlantic and Gulf of Mexico ports. The purpose of the modification is to provide that members shall keep confidential all discussions and decisions of the conference; that any member violating such provision shall be subject to a fine not in excess of \$2500 as determined by the member lines; and that no provision in the conference agreement shall be considered as a prohibition against a member furnishing information requested by the Federal Maritime Board.

(4) Agreement No. 8348, between Aktiebolaget Svenska Amerika Linien (Swedish American Line) and Rederiaktiebolaget Transatlantic (Transatlantic Steamship Company, Ltd.), is a joint service covering regular cargo traffic between U.S. Atlantic ports, north of Cape Hatteras, and Swedish, Norwegian and Danish ports, as well as Finnish, Russian and other ports on the Baltic, and regular passenger traffic between U.S. Atlantic ports, north of Cape Hatteras, and Gothenburg, and providing for the apportionment of cargo, and of

profit or losses on outside tonnage chartered for joint account. Agreement No. 8348, upon approval, will supersede and cancel present joint service arrangement, Agreement No. 7601, as amended, between the parties.

(5) Agreement No. 8420-1, between the member lines of the Israel/U.S.A. North Atlantic Ports Westbound Freight Conference, modifies the basic agreement of that conference (No. 8420), which covers the trade from Mediterranean ports of Israel to North Atlantic ports of the United States (Hampton Roads/Portland, Maine, range). The purpose of the modification is to change the provision of the agreement with respect to the holding of conference meetings.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 13, 1959.

By order of the Federal Maritime Board.

[SEAL]

GEO. V. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 59-415; Filed, Jan. 15, 1959;
8:48 a.m.]

Office of the Secretary

GREGORY J. LANIGAN

Report of Appointment and Statement
of Financial Interests

Report of appointment and statement of financial interests required by section 710(b)(6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Mr. Gregory J. Lanigan.

2. Employing agency: Department of Commerce, Business and Defense Services Administration.

3. Date of appointment: January 6, 1959.

4. Title of position: Advisor to Director (Metal Containers).

5. Name of private employer: American Flange & Manufacturing Company, Inc., 30 Rockefeller Plaza, New York, N.Y.

JOHN F. LUKENS,
Acting Director of Personnel.

DECEMBER 17, 1958.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned

any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Amer. Flange & Mfg. Co.
Bank Deposits.

Dated: JANUARY 6, 1959.

GREGORY J. LANIGAN.

[F.R. Doc. 59-411; Filed, Jan. 15, 1959;
8:48 a.m.]

R. CHESTER REED

Statement of Changes in Financial
Interests

In accordance with the requirements section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of January 4, 1959.

R. CHESTER REED.

[F.R. Doc. 59-412; Filed, Jan. 15, 1959;
8:48 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 12481, 12482; FCC 59M-31]

FARMINGTON BROADCASTING CO.
AND FOUR CORNERS BROADCASTING CO.

Order Continuing Hearing

In re applications of Farmington Broadcasting Company, Farmington, New Mexico, Docket No. 12481, File No. BPCT-2369; Four Corners Broadcasting Company, Farmington, New Mexico, Docket No. 12482, File No. BPCT-241 for construction permits for new television broadcast stations.

It is ordered, This 8th day of January 1959, upon consideration of a motion for continuance of hearing filed January 1959, in behalf of Farmington Broadcasting Company, to which all parties to the proceeding have consented, that the said motion is granted, and that hearing in the above-entitled proceeding, which is presently scheduled to commence January 12, 1959, is continued without date.

Released: January 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-422; Filed, Jan. 15, 1959;
8:49 a.m.]

[Docket Nos. 12627-12632; FCC 59M-23]

ROBERT C. CRABB ET AL.

Order Continuing Hearing

In re applications of Robert C. Crabb, Los Angeles, Calif., Docket No. 12627, File No. 1387-C2-P/ML-58; Farrell McKean, d/b as Business and Professional Telephone Exchanges, Los Angeles, Calif., Docket No. 12628, File No. 1603-C2-P-58; Warren M. Seeley, d/b as Mobile Radio Call Service, Beverly Hills, Calif., Docket No. 12629, File No. 1628-C2-P-58; Lyman G. Berg (Station KMD691), San Diego, Calif., Docket No. 12630, File No. 1937-C2-P-58; George W. Smith, Santa Ana, Calif., Docket No. 12631, File No. 2797-C2-P-58; Benjamin H. Warner, Jr., Santa Ana, Calif., Docket No. 12632, File No. 2801-C2-P-58; One-way signaling stations in the domestic public land mobile radio service.

On the oral request of counsel for all the parties: *It is ordered*, This 8th day of January 1959, that the time for exchange of exhibits is extended from January 15 (Tr. 20) to March 3, 1959; and that the hearing now scheduled to begin on January 29, 1959, is continued to April 6, 1959, at 10 a.m., in the offices of the Commission, Washington, D.C. (see Tr. 21 for nature of hearing).

Released: January 9, 1959.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-423; Filed, Jan. 15, 1959;
8:49 a.m.]

[Docket Nos. 12654, 12655; FCC 59M-37]

**OLD BELT BROADCASTING CORP.
(WJWS) AND JOHN LAURINO**

Order Continuing Hearing

In re applications of Old Belt Broadcasting Corporation (WJWS), South Hill, Va., Docket No. 12654, File No. BP-11412; John Laurino, Scotland Neck, N.C., Docket No. 12655, File No. BP-12109; for construction permits.

The Hearing Examiner having under consideration a "Motion for Continuance" filed by Old Belt Broadcasting Corporation on January 7, 1959, requesting that each of the various dates now applicable to the further proceedings in the above-captioned matter be continued for a period of approximately 30 days; and

It appearing that certain engineering studies, including measurements, have been undertaken since the prehearing conference on December 19, 1958, with a view to possible resolution of the conflict between the respective applications involved; and

It further appearing that it is uncertain as to whether these studies and measurements can be completed in time to avoid the necessity of meeting the dates heretofore fixed for prehearing exchange of exhibits; and

It further appearing that counsel for the other parties herein have consented to the continuances requested, and have also waived the 4-day requirement of

§ 1.43 of the Commission's rules so as to permit prompt action on the subject motion; and

It further appearing that good cause has been shown for granting the "Motion for Continuance" in all respects by adoption of the new dates proposed in Paragraph 2 thereof;

Accordingly, it is ordered, This 9th day of January 1959, that the above-described motion of Old Belt Broadcasting Corporation is granted, and that the dates heretofore fixed for the further proceedings specified below are continued as follows:

Exchange of engineering exhibits among counsel, from Jan. 15, 1959, to Feb. 17, 1959

Exchange of non-technical exhibits among counsel from Jan. 29, 1959, to Mar. 3, 1959

Copies of all proposed exhibits to be supplied to the Hearing Examiner, from Jan. 29, 1959, to Mar. 3, 1959

Commencement of the formal hearing, from Feb. 17, 1959, to Mar. 16, 1959¹

Released: January 12, 1959.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-424; Filed, Jan. 15, 1959;
8:49 a.m.]

[Docket Nos. 12680, 12681; FCC 59M-25]

**KANSAS BROADCASTERS, INC., AND
SALINA RADIO, INC.**

Order Continuing Hearing

In re applications of Kansas Broadcasters, Inc., Salina, Kans., Docket No. 12680, File No. BP-11527; Salina Radio, Inc., Salina, Kans., Docket No. 12681, File No. BP-11802; for construction permits.

The Hearing Examiner having under consideration the facts disclosed at the prehearing conference in the above-entitled proceeding held on January 6, 1959; and

It appearing that because of the pendency of an application which appears to be entitled to comparative consideration in this proceeding, the orderly conduct of the Commission's business requires that the evidentiary hearing now scheduled to begin on January 29, 1959, be continued until all pertinent pending applications may be heard in this proceeding;

It is ordered, This the 6th day of January 1959, that the evidentiary hearing in the above-entitled proceeding now scheduled to begin on January 29, 1959, is continued to a date to be announced following the conclusion of the further prehearing conference now scheduled to resume on March 9, 1959.

Released: January 9, 1959.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-425; Filed, Jan. 15, 1959;
8:49 a.m.]

¹ Notification of necessity for production of witnesses for cross-examination will be given on or before March 9, 1959 instead of February 17, 1959.

[Docket No. 12690; FCC 59M-19]

LOS BANOS BROADCASTING CO.

**Order Continuing Prehearing
Conference and Hearing**

In re application of James H. Rose, tr/as Los Banos Broadcasting Company, Los Banos, Calif., Docket No. 12690, File No. BP-11874; for construction permit.

The Hearing Examiner having under consideration the informal request for continuance of the prehearing and hearing dates in the above-entitled proceeding filed on January 5, 1959, by Los Banos Broadcasting Company;

It appearing that prehearing and hearing herein are presently scheduled for January 12, 1959 and February 9, 1959, respectively; and

It further appearing that all counsel have consented to immediate consideration and grant of the said request and that good cause for a grant has been set forth in that applicant is in the course of preparation of an engineering amendment designed to eliminate the interference considerations leading to designation of the application for hearing;

It is ordered, This 8th day of January 1959, that the prehearing conference herein is continued to February 17, 1959, and the hearing to March 17, 1959.

Released: January 8, 1959.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-426; Filed, Jan. 15, 1959;
8:50 a.m.]

[Docket Nos. 12701, 12702; FCC 59M-39]

**TOMAH-MAUSTON BROADCASTING
CO., INC. (WTMB)**

Order Continuing Hearing

In re applications of Tomah-Mauston Broadcasting Company, Incorporated (WTMB), Tomah, Wis., Docket No. 12701, File No. BP-11615; for construction permit; Docket No. 12702, File No. BMP-8306; for modification of permit.

In accordance with the understanding at the prehearing conference today: *It is ordered*, This 12th day of January 1959, that the hearing now scheduled for January 19, 1959, is continued to Monday, January 26, 1959, at 11 a.m., in the offices of the Commission, Washington, D.C.

Released: January 13, 1959.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-427; Filed, Jan. 15, 1959;
8:50 a.m.]

[Docket No. 12,708]

**DIAMOND TAXI OF SCHENECTADY,
INC.**

Order to Show Cause

In the matter of Diamond Taxi of Schenectady, Inc., 110 Wall Street,

Schenectady, N.Y., Docket No. 12,708; order to show cause why there should not be revoked the license of Taxicab Radio Station KED-456.

There being under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing that, pursuant to § 1.61 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee as follows:

Official Violation Notice dated June 30, 1958, in which licensee was informed that subject station had been observed, on June 14, 1958, in violation of the following rules:

1. Section 16.64(a)—Base station transmitter moved from 2118 Eastern Parkway to 822 Bedford Road, Schenectady, N.Y., without authorization from the Commission.

2. Section 16.64(b)(1)—The control point has been moved from New York Central Railroad Depot to 110 Wall Street, Schenectady, N.Y., without authorization from the Commission.

3. Section 16.160(a)—Station records showing the results and dates of transmitter measurements (required by § 16.108) were not available for inspection.

It further appearing that the above-named licensee having failed to make satisfactory reply thereto, the Commission, by letter dated October 24, 1958, and sent by Certified Mail—Return Receipt Requested (No. 880202), brought this matter to the attention of the licensee and requested that such licensee respond to the Commission's letter within fifteen (15) days from the date of its receipt stating the measures which had been taken, or were being taken, in order to bring the operation of the radio station into compliance with the Commission's rules, and warning the licensee that his failure to respond to such letter might result in the institution of proceedings for the revocation of the radio station license; and

It further appearing that receipt of the Commission's letter was acknowledged by the signature of the licensee's agent, Consetta Vardine, on October 27, 1958, to a Post Office Department return receipt; and

It further appearing that although more than fifteen (15) days have elapsed since the licensee's receipt of the Commission's letter, no response thereto has been received; and

It further appearing that in view of the foregoing, the licensee has willfully violated § 1.61 of the Commission's rules;

It is ordered, This 7th day of January, 1959, pursuant to section 312(a)(4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b)(8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned Radio Station should not be revoked and appear and give evidence in respect thereto at a hearing¹

¹Section 1.62 of the Commission's rules provides that a licensee, in order to avail

to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this order by Certified Mail—Return Receipt Requested to the said licensee.

Released: January 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-428; Filed, Jan. 15, 1959;
8:50 a.m.]

[Docket No. 12716 etc.; FCC 59M-29]

ABACOA RADIO CORP. ET AL.

Order Scheduling Prehearing Conference

In re applications of Abacoa Radio Corporation, Arecibo, Puerto Rico, Docket No. 12716; File No. BPCT-2459; Western Broadcasting Corporation of Puerto Rico, Aguadilla, Puerto Rico, Docket No. 12717, File No. BPCT-2537; Jose A. Bechara, Jr., A. Gimenez-Aguayo, and Reynaldo Barletta, a partnership, Aguadilla, Puerto Rico; Docket No. 12718, File No. BPCT-2551; for construction permits for new television broadcast stations.

It is ordered, This 8th day of January 1959, that a prehearing conference in the above-entitled proceeding will be held on January 21, 1959, at 10:00 a.m., in the offices of the Commission, Washington, D.C.

Released: January 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-429; Filed, Jan. 15, 1959;
8:50 a.m.]

himself or the opportunity to be heard, shall, in person or by his attorney, file with the Commission, within thirty (30) days of the receipt of the order to show cause, a written statement stating that he will appear at the hearing and present evidence on the matter specified in the order. If the licensee fails to file such an appearance within the time specified, the right to a hearing shall be deemed to have been waived. Where a hearing is waived, a written statement in mitigation or justification may be submitted within thirty (30) days of the receipt of the order to show cause. If such statement contains, with particularity, factual allegations denying or justifying the facts upon which the show cause order is based, the Hearing Examiner may call upon the submitting party to furnish additional information, and shall request all opposing parties to file an answer to the written statement and/or additional information. The record will then be closed and an initial decision issued on the basis of such procedure. Where a hearing is waived and no written statement has been filed within the thirty (30) days of the receipt of the order to show cause, the allegations of fact contained in the order to show cause will be deemed as correct and the sanctions specified in the order to show cause will be invoked.

[Docket No. 12724]

LODRIGUESS KIFFE

Order to Show Cause

In the matter of Lodriguess Kiffe, P.O. Box 241, Cut Off, La., Docket No. 12724; order to show cause why there should not be revoked the license for radio station WE-8429 aboard the vessel "Captain Rickey."

There being under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing that, pursuant to § 1.61 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee as follows: Notice mailed June 2, 1958, alleging that on May 26, 1958, at 1748 hours GMT the subject radio station had been observed in violation of § 8.131 of the Commission's rules by its operation with a frequency deviation beyond the limit of tolerance specified in § 8.131(b)(4) of the Commission's rules.

It further appearing that the above-named licensee having failed to make satisfactory reply thereto, the Commission, by letter dated August 7, 1958, and sent by Certified Mail—Return Receipt Requested (No. 5315143), brought this matter to the attention of the licensee and requested that such licensee respond to the Commission's letter within fifteen (15) days from the date of its receipt stating the measures which had been taken, or were being taken, in order to bring the operation of the radio station into compliance with the Commission's Rules, and warning the licensee that his failure to respond to such letter might result in the institution of proceedings for the revocation of the radio station license; and

It further appearing that receipt of the Commission's letter was acknowledged by the signature of the licensee's agent, Brunella Kiffe, on August 11, 1958, to a Post Office Department return receipt; and

It further appearing that although more than fifteen (15) days have elapsed since the licensee's receipt of the Commission's letter, no response thereto has been received; and

It further appearing that in view of the foregoing, the licensee has willfully violated § 1.61 of the Commission's rules;

It is ordered, This 8th day of January 1959, pursuant to section 312(a)(4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b)(8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned Radio Station should not be revoked and appear and give evidence in respect thereto at a hearing¹ to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this order by Certi-

filed Mail—Return Receipt Requested to the said licensee.

Released: January 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-430; Filed, Jan. 15, 1959;
8:50 a.m.]

[Docket No. 12725]

JOHN G. MURLEY

Order to Show Cause

In the matter of John G. Murley, 107 North William Street, Fairhaven, Mass., Docket No. 12725; order to show cause why there should not be revoked the license for radio station WB-3638 aboard the vessel "Teresa and Jean."

There being under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing that, pursuant to § 1.61 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee as follows:

Notice mailed August 19, 1958, alleging violations of the rules of the Federal Communications Commission on August 12, 1958, at 2245 hours, GMT, as follows:

Section 8.364(a)—Failure to identify transmission at beginning thereof.

Section 8.366(b)(2)—Failure to establish communication by calling on channel of which 2182 kc is the authorized carrier frequency prior to transmitting on the inter-ship radio channel of which 2638 kc is the authorized carrier frequency.

It further appearing that, the above-named licensee having failed to make satisfactory reply thereto, the Commission, by letter dated September 22, 1958, and sent by Certified Mail—Return Receipt Requested (No. 635380), brought this matter to the attention of the licensee and requested that such licensee respond to the Commission's letter within fifteen (15) days from the date of its receipt stating the measures which had been taken, or were being taken, in order to bring the operation of the radio station into compliance with the Commission's rules, and warning the licensee that his failure to respond to such letter might result in the institution of proceedings for the revocation of the radio station license; and

It further appearing that receipt of the Commission's letter was acknowledged by the signature of the licensee's agent, Martha G. Murley, on September 23, 1958, to a Post Office Department return receipt; and

It further appearing that although more than fifteen (15) days have elapsed since the licensee's receipt of the Commission's letter, no response thereto has been received; and

It further appearing that in view of the foregoing, the licensee has willfully violated § 1.61 of the Commission's rules;

It is ordered, This 8th day of January 1959, pursuant to section 312(a)(4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b)(8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned Radio Station should not be revoked and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this order by Certified Mail—Return Receipt Requested to the said licensee.

Released: January 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-431; Filed, Jan. 15, 1959;
8:50 a.m.]

[Docket Nos. 12726, 12727; FCC 59-8]

BRINKLEY BROADCASTING CO. AND
TRI-COUNTY BROADCASTING CO.

Order Designating Applications for
Consolidated Hearing on Stated
Issues

In re applications of Sam W. Anderson tr/as Brinkley Broadcasting Company, Brinkley, Ark., Docket No. 12726, File No. BP-11719; Mason W. Clifton tr/as Tri-County Broadcasting Company, Brinkley, Ark., Docket No. 12727, File No. BP-11919; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 7th day of January 1959;

The Commission having under consideration the above-captioned applica-

Section 1.62 of the Commission's rules provides that a licensee, in order to avail himself of the opportunity to be heard, shall, in person or by his attorney, file with the Commission, within thirty (30) days of the receipt of the order to show cause, a written statement stating that he will appear at the hearing and present evidence on the matter specified in the order. If the licensee fails to file such an appearance within the time specified, the right to a hearing shall be deemed to have been waived. Where a hearing is waived, a written statement in mitigation or justification may be submitted within thirty (30) days of the receipt of the order to show cause. If such statement contains, with particularity, factual allegations denying or justifying the facts upon which the show cause order is based, the Hearing Examiner may call upon the submitting party to furnish additional information, and shall request all opposing parties to file an answer to the written statement and/or additional information. The record will then be closed and an initial decision issued on the basis of such procedure. Where a hearing is waived and no written statement has been filed within the thirty (30) days of the receipt of the order to show cause, the allegations of fact contained in the order to show cause will be deemed as correct and the sanctions specified in the order to show cause will be invoked.

tions of Sam W. Anderson tr/as Brinkley Broadcasting Company, and of Mason W. Clifton tr/as Tri-County Broadcasting Company, each for a construction permit for a new standard broadcast station to operate on 1570 kilocycles with a power of 250 watts, daytime only, at Brinkley, Arkansas;

It appearing that except as indicated by the issues specified below, both applicants are legally, financially, technically and otherwise qualified to operate the proposed stations but that the simultaneous operation of both proposals would result in mutually destructive interference; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the applicants were advised by letter dated October 13, 1958, of the aforementioned interference and that the Commission was unable to conclude that a grant of either application would serve the public interest; and

It further appearing that both applicants filed timely replies to the Commission's letter; and

It further appearing that the Commission, after consideration of the above, is of the opinion that a hearing on the instant applications is necessary;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the instant proposals would better serve the public interest in the light of the evidence adduced under the foregoing issues and record made with respect to the significant differences between the applicants as to:

a. The background and experience of each of the above-named applicants to own and operate its proposed station.

b. The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

c. The programming service proposed in each of the above-mentioned applications.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applicants should be granted.

It is further ordered, That, to avail themselves of the opportunities to be heard, the applicants herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the issues in this proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance

that the proposals set forth in this application will be effectuated.

Released: January 12, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-432; Filed, Jan. 15, 1959;
8:50 a.m.]

[Docket Nos. 12726, 12727; FCC 59M-35]

BRINKLEY BROADCASTING CO. AND TRI-COUNTY BROADCASTING CO.

Order Scheduling Hearing

In re applications of Sam W. Anderson tr/as Brinkley Broadcasting Company, Brinkley, Ark., Docket No. 12726, File No. BP-11719; Mason W. Clifton tr/as Tri-County Broadcasting Company, Brinkley, Ark., Docket No. 12727, File No. BP-11919; for construction permits.

It is ordered, This 9th day of January 1959, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 20, 1959, in Washington, D.C.

Released: January 13, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-433; Filed, Jan. 15, 1959;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-10403]

G. W. TOWNSEND ET AL.

Notice of Application and Date of Hearing

JANUARY 12, 1959.

Take notice that G. W. Townsend (Applicant), an individual with principal place of business at P.O. Box 470, Bay City, Texas, for itself and as operator for Cities Service Oil Company, Tidewater Oil Company, Skelly Oil Company, W. E. Walker, George R. Wadsworth and John S. Neilson, filed an application in the above-captioned proceeding on May 14, 1956 for a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act (Act), authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application. Applicant also filed an amendment¹ to said application on June 5, 1958 for permission to abandon the aforesaid proposed service pursuant to section 7(b) of the Act. The application and amendment are on file with the Commission and open for public inspection.

Applicant proposes, by the application filed on May 14, 1956, to sell natural gas in interstate commerce from the Under-

wood and Koehn leases, Underwood Field, Lavaca County, Texas, to Tennessee Gas Transmission Company (Tennessee) for resale. The service involved is covered by a contract dated February 24, 1956, on file as G. W. Townsend (Operator), et al., FPC Gas Rate Schedule No. 1.

By the amendment filed on June 5, 1958, Applicant seeks permission to abandon the aforesaid sale of gas to Tennessee.

In support of the amendment, Applicant states that the supply of natural gas from the Underwood and Koehn leases has become depleted to the extent that further production therefrom is no longer possible; that last deliveries of gas from said leases were made in October of 1956; that there were no other horizons capable of production; that no remedial work was thought justified; that the wells were plugged and abandoned; and that the leases have expired under their own terms. Tennessee has released Applicant from any further performance of the gas sales contract by agreement dated September 27, 1957, cancelling said contract.

This matter is one that should be disposed of under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 10, 1959 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 2, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-390; Filed, Jan. 15, 1959;
8:45 a.m.]

[Docket No. G-17029]

OHIO FUEL GAS CO.

Notice of Application and Date of Hearing

JANUARY 12, 1959.

Take notice that on November 21, 1958, The Ohio Fuel Gas Company (Appli-

cant) filed in Docket No. G-17029 an application, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of a main line valve setting and a measuring and regulating station on Applicant's existing transmission Line D-34 at a point near Crestline, Richland County, Ohio, together with approximately 500 feet of 4½-inch O.D. lateral pipeline, for the direct sale and delivery of natural gas to Pittsburgh Plate Glass Company (Pittsburgh) on an interruptible basis, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The estimated natural gas requirements for the proposed service are:

	Year of service			
	1st	2d	3d	4th
Annual (Mcf)-----	42,000	145,000	145,000	261,000
Peak day (Mcf)-----	900	900	900	1,600

Pittsburgh proposes to use the subject gas for tempering and forming automotive plate glass, for space heating, air conditioning, and other services.

The estimated cost of Applicant's proposed facilities is \$17,340, which will be paid from cash on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure a hearing will be held on February 10, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C. concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 6, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-391; Filed, Jan. 15, 1959;
8:45 a.m.]

¹Originally assigned Docket No. G-15240 which has been cancelled.

NOTICES

[Docket No. G-17048]

HOME GAS CO.

Notice of Application and Date of Hearing

JANUARY 12, 1959.

Take notice that on November 24, 1958, as supplemented on December 12, 1958, Home Gas Company (Applicant) filed in Docket No. G-17048 an application, pursuant to section 7(b) of the Natural Gas Act, for permission to abandon approximately 175 miles of 6-inch transmission pipeline located in Delaware, Sullivan, and Orange Counties, New York, all as more fully set forth in the application as supplemented, which is on file with the Commission and open to public inspection.

The subject lines consist of two parallel 6-inch lines from Hancock to Cochection, New York, and four parallel 6-inch lines from Cochection to Port Jervis, New York, which lines are part of an old oil line system converted to natural gas use.

Applicant has recently built a new 12-inch transmission line paralleling the subject 6-inch system, which new line is now used to perform the service formerly handled by the system proposed to be abandoned. There will be no abandonment of service. Applicant desires to sell the 6-inch system in place, removing and retaining the valves and fittings therefrom.

The estimated cost of disconnection and removal of valves and fittings is \$600; cost of connecting some 13 present main-line consumers to the 12-inch line is stated to be \$4,400; estimated salvage value of the facilities to be abandoned is \$149,049.

Savings in operating and maintenance expenses due to the abandonment are estimated by Applicant at \$2,800 per year.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 19, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 6, 1959. Failure of any party to appear at and participate in the hearing

shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-392; Filed, Jan. 15, 1959; 8:45 a.m.]

[Docket No. G-17431]

HASSIE HUNT TRUST

Order for Hearing and Suspending Proposed Change in Rate

JANUARY 9, 1959.

Hassie Hunt Trust (Hunt), on December 10, 1958, tendered for filing a proposed change in its presently effective rate schedule¹ for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated November 26, 1958.

Purchaser: Transcontinental Gas Pipe Line Corporation.

Rate schedule designation: Supplement No. 4 to Hunt's FPC Gas Rate Schedule No. 3.

Effective date: January 10, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the increased rate Hunt cites the favored-nation provision of the contract. In addition Respondent has interpreted the tax provisions of the rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Respondent received for the Louisiana gathering tax. This interpretation should be determined after hearing.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 4 to Hunt's FPC Gas Rate Schedule No. 3 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Hunt's FPC Gas Rate Schedule No. 3.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof

¹Present rates are in effect subject to refund in Docket No. G-15581.

deferred until May 28, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-393; Filed, Jan. 15, 1959; 8:45 a.m.]

[Docket No. G-17432]

PARK PIPE LINE

Order for Hearing and Suspending Proposed Change in Rate

JANUARY 9, 1959.

In the matter of William Herbert Hunt Trust Estate d/b/a Park Pipe Line.

William Herbert Hunt Trust Estate (Hunt), on December 10, 1958, tendered for filing a proposed change in its presently effective rate schedule¹ for the sale of natural gas, subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated November 26, 1958.

Purchaser: Transcontinental Gas Pipe Line Corporation.

Rate schedule designation: Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 5.

Effective date: January 10, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the increased rate Hunt cites the favored-nation provision of the contract. In addition Respondent has interpreted the tax provisions of the rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Respondent received for the Louisiana gathering tax. This interpretation appears to be questionable and should be determined after hearing.

The increased rate and charge has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 5 be suspended

¹Present rates are in effect subject to refund in Docket No. G-15625.

and the use thereof deferred as herein-after ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 5.

(B) Pending the hearing and decision thereon, the supplement is hereby suspended and the use thereof deferred until May 28, 1959, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-394; Filed, Jan. 15, 1959;
8:45 a.m.]

[Docket No. G-17433]

H. L. HUNT

Order for Hearing and Suspending Proposed Change in Rate

JANUARY 9, 1959.

H. L. Hunt (Hunt), on December 10, 1958, tendered for filing a proposed change in his presently effective rate schedule¹ for the sale of natural gas, subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated November 26, 1958.

Purchaser: William Herbert Hunt Trust Estate d/b/a Park Pipe Line.

Rate schedule designation: Supplement No. 2 to Hunt's FPC Gas Rate Schedule No. 11.

Effective: January 10, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the increased rate Hunt cites the favored-nation provision of the contract. In addition Respondent has interpreted the tax provisions of the rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same

reimbursement level that Respondent received for the Louisiana gathering tax. This interpretation appears to be questionable and should be determined after hearing.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Hunt's FPC Gas Rate Schedule No. 11 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Hunt's FPC Gas Rate Schedule No. 11.

(B) Pending the hearing and decision thereon, the supplement is hereby suspended and the use thereof deferred until May 28, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-395; Filed, Jan. 15, 1959;
8:46 a.m.]

[Docket No. G-17434]

HARRY W. BASS

Order for Hearing, Suspending Proposed Change in Rate, and Allowing Changed Rate to Become Effective

JANUARY 9, 1959.

Harry W. Bass (Bass), on December 12, 1958, tendered for filing a proposed change in his presently effective rate schedule¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed change is contained in the following designated filing:

¹Rate and charge set out in Supplement No. 7 to Bass' FPC Gas Rate Schedule No. 1 is currently in effect subject to refund in Docket No. G-15726.

Description: Notice of change, undated.

Purchaser: Arkansas Louisiana Gas Company.

Rate schedule designation: Supplement No. 8 to Bass' FPC Gas Rate Schedule No. 1.

Effective date: January 12, 1959 (effective date is the first day following statutory notice).

In support of the proposed rate and charge, Bass has interpreted the tax provisions of the aforementioned rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Bass received for the Louisiana gathering tax. Although the rate schedule is sufficiently ambiguous to obtain other than that effect, Bass gives no explicit explanation for his interpretation of the contract provisions, but merely states that the claimed reimbursement is in accordance with the meaning of the contract when originally executed.

The changed rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that the proposed rate be made effective as hereinafter provided and that Bass be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rate and charge contained in Supplement No. 8 to Bass' FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 13, 1959, and thereafter until such further time as it is made effective in the manner herein-after prescribed.

(C) The rate, charge and classification set forth in the above-designated supplement shall be effective on January 13, 1959: *Provided, however*, That within 20 days from the date of this order, Bass shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Bass shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the in-

¹Present rates are in effect subject to refund in Docket No. G-15580.

creased rates found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Bass until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the changed rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Bass so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the changed rate allowed by this order becomes effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Bass shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, as follows:

Agreement and Undertaking of Harry W. Bass To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Changes

In conformity with the requirements of the order issued _____, in Docket No. G-17434, Harry W. Bass hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and for that purpose has caused this agreement and undertaking to be executed

HARRY W. BASS

Witness: Date _____

Unless Bass is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Bass shall, in conformity with the terms and conditions of paragraph (D) of this order make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 59-396; Filed, Jan. 15, 1959; 8:46 a.m.]

[Docket No. G-17435]

NEMOURS CORP.

Order for Hearing, Suspending Proposed Change in Rate, and Allowing Increased Rate To Become Effective

JANUARY 9, 1959.

Nemours Corporation (Nemours), on December 12, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas, subject to the jurisdiction of the Commission. The proposed change, which constitutes an increase in rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Mississippi River Fuel Corporation.

Rate schedule designation: Supplement No. 1 to Nemours' FPC Gas Rate Schedule No. 2.

Effective date: January 12, 1959 (effective date is the first day following expiration of statutory notice).

In support of the proposed increased rate and charge, Nemours has interpreted the tax provisions of the aforementioned rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Nemours received for the Louisiana gathering tax. Although the rate schedule is sufficiently ambiguous to obtain other than that effect, Nemours gives no explicit explanation of its interpretation of the contract provisions, but merely states that its claimed reimbursement is in accordance with the meaning of the contract when originally executed.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Nemours' FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement is hereby suspended and the use thereof deferred until January 13, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge, and classification set forth in the above-designated supplement shall be effective on January 13, 1959: *Provided, however*, That within 20 days from the date of this order, Nemours shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Nemours shall refund at such times and in such amounts to the persons

entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rate found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Nemours until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the increased rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Nemours so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rate in effect immediately prior to the date upon which the increased rate allowed by this order become effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Nemours shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the board of directors, and accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved, as follows:

Agreement and Undertaking of Nemours Corporation to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Change

In conformity with the requirements of the order issued _____, in Docket No. G-17435, Nemours Corporation hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this _____ day of _____.

By _____

Attest:

(Secretary)

Unless Nemours is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Nemours shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed

until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-397; Filed Jan. 15, 1959;
8:46 a.m.]

[Docket No. G-17437]

VICKERS PETROLEUM CO. INC.

Order for Hearing and Suspending Proposed Change in Rates

JANUARY 9, 1959.

The Vickers Petroleum Company, Inc. (Vickers), on December 12, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filings:

Description: (1) Supplemental Agreement,¹ dated November 14, 1958. (2) Notice of Change, dated December 11, 1958.

Purchaser: Colorado Interstate Gas Company.

Rate schedule designation: (1) Supplement No. 2 to Vickers' FPC Gas Rate Schedule No. 5. (2) Supplement No. 3 to Vickers' FPC Gas Rate Schedule No. 5.

Effective date: January 12, 1959 (stated effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed redetermined rate increase, Vickers submits a supplemental agreement providing for a redetermined price pursuant to the terms of the original contract. Under the amended contract, Colorado Interstate Gas Company agrees to take delivery of gas ratably from all of the wells connected to buyer's field gathering system in lieu of having to purchase the "allowable" assigned to the leases of any one rate schedule. In the event allowables are assigned to individual wells, the amended contract provides that the minimum take shall be based on total reserves rather than on a well to well basis. Further, in lieu of price redeterminations at five-year intervals the amended contract provides for periodic increases until December 31, 1973, and for price redeterminations for each five-year period thereafter. Vickers contends that the foregoing amendment to the original contract grants valuable rights to the buyer in consideration for the proposed rate increase of 1 cent per Mcf.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to

aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement Nos. 2 and 3 to Vickers' FPC Gas Rate Schedule No. 5 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement Nos. 2 and 3 to Vickers' FPC Gas Rate Schedule No. 5.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until June 12, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-398; Filed, Jan. 15, 1959;
8:46 a.m.]

[Docket No. G-17438]

MAGNOLIA PETROLEUM CO.

Order for Hearing and Suspending Proposed Changes in Rates

JANUARY 9, 1959.

Magnolia Petroleum Company (Magnolia) on December 12, 1958, tendered for filing proposed changes in its presently effective rate schedules¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, undated.
Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: Supplement No. 9 to Magnolia's FPC Gas Rate Schedule No. 42. Supplement No. 9 to Magnolia's FPC Gas Rate Schedule No. 43.

Effective date: January 12, 1959 (effective date is the first day after expiration of the required thirty days' notice).

¹Present rates previously suspended and are now in effect subject to refund in Docket No. G-15879, et al.

In support of the proposed periodic rate increases, Magnolia states that the sales contracts were negotiated at arm's length, that the increases are part of an installment price schedule, that gas rates should be based upon the "supply and demand formula" instead of being considered as a utility service, and that the costs of exploration, discovery, production, gathering and processing of natural gas are rapidly increasing.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplement No. 9 to Magnolia's FPC Gas Rate Schedules Nos. 42 and 43, respectively, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 9 to Magnolia's FPC Gas Rate Schedules Nos. 42 and 43, respectively.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until June 12, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-399; Filed, Jan. 15, 1959;
8:46 a.m.]

[Docket No. G-17439]

CLARENCE A. RUSSELL ET AL.

Order for Hearing and Suspending Proposed Change in Rates

JANUARY 9, 1959.

Clarence A. Russell et al. (Russell) on December 12, 1958, tendered for filing a proposed change in his presently effective

¹Redetermines a rate of 16.0¢ per Mcf effective January 1, 1959.

tive rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated December 9, 1958.

Purchaser: Tennessee Gas Transmission Company.

Rate schedule designation: Supplement No. 4 to Russell's FPC Gas Rate Schedule No. 2.

Effective date: January 12, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed redetermined rate increase, Russell submits a letter dated June 5, 1958, from Tennessee Gas Transmission Company agreeing to the redetermined rate, based upon the three highest prices paid for interstate gas in Texas Railroad Commission District No. 3. Russell states that such redetermination is provided for in the contract.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 4 to Russell's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Russell's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until June 12, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 59-400; Filed, Jan. 15, 1959; 8:46 a.m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration DESCRIPTION OF AGENCY AND PROGRAMS

Effective January 5, 1959, section I is amended to read as follows:

I. *Description of agency and programs—A. Creation and purpose.* The Public Housing Administration was made a constituent agency of the Housing and Home Finance Agency by the President's Reorganization Plan No. 3 of 1947, effective July 27, 1947. The PHA is headed by a Public Housing Commissioner appointed by the President by and with the advice and consent of the Senate. The major program administered by the PHA is the Low-Rent Public Housing Program which is a direct responsibility of the Public Housing Administration. The PHA also administers the residue of the Liquidating Emergency Housing Program, under authority delegated to the Public Housing Commissioner by the Housing and Home Finance Administrator. Historically, the PHA is a successor agency to the United States Housing Authority, which was created by the United States Housing Act of 1937 (42 U.S.C. 1401 et seq.) to administer the Low-Rent Public Housing Program established by that Act. In 1942 the name of the agency was changed to the Federal Public Housing Authority. It continued under that name until 1947, when it was changed to the Public Housing Administration.

B. *Low-Rent Public Housing Program.* The Low-Rent Public Housing Program is authorized by the United States Housing Act of 1937, as amended (42 U.S.C. 1401 et seq.), which authorizes Federal financial assistance to local communities "to remedy the unsafe and insanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of low-income * * *". Also included in this Program are certain projects (a few of which are Federally owned) constructed under authority other than the United States Housing Act of 1937, but transferred to the Low-Rent Public Housing Program: Projects developed by the Public Works Administration before passage of the Act and transferred under authority of the Act (42 U.S.C. 1404(d)), and Farm Labor Camps and permanent war housing projects transferred under the terms of the Housing Act of 1950 (42 U.S.C. 1412(f) and 1586, respectively).

C. *Liquidating Emergency Housing Program.* The activities relating to the Liquidating Emergency Housing Program consist principally of disposal of the residue of Lanham Act World War II housing, administration of mortgages, sales and title documents, and related liquidation activities arising from prior disposal of the Lanham projects, the temporary projects developed during the Korean emergency, and the Veterans Re-use, Subsistence Homestead, and Green-towns Programs.

D. *Central office organization.* 1. The Commissioner is responsible for the administration of all programs of the PHA. In addition to the staff officials enumerated below, the Commissioner has Special Assistants in the fields of defense planning, compliance, labor relations, liaison, and racial relations.

2. The Deputy Commissioner is responsible for assisting the Commissioner in the administration of all programs of the PHA and serves as Acting Commissioner in the absence of the Commissioner. He is also directly responsible for activities relating to the financing of low-rent projects.

3. The Assistant Commissioner for Administration is responsible for activities relating to administrative management. The Administration Division, which he heads, consists of the following branches:

- a. Budget.
- b. Fiscal.
- c. Mortgage.
- d. Office Services.
- e. Personnel.
- f. Production and Document Control.
- g. Statistics.

4. The Assistant Commissioner for Audits is responsible for all matters relating to project and internal auditing.

5. The General Counsel is the PHA's principal attorney and responsible for all legal activities of the PHA. The Legal Division, which he heads, consists of the following branches:

- a. Development.
- b. Finance Counsel.
- c. Opinions and Legislation.
- d. Real Estate and Management.

6. The Assistant Commissioner for Development is responsible for activities relating to the initiation, planning, and construction of public housing projects. The Development Division, which he heads, consists of the following branches:

- a. Construction.
- b. Land.
- c. Technical.

and of two Development Coordination Offices organized on an area basis, a project planning staff, and a cost analysis staff.

7. The Assistant Commissioner for Management is responsible for activities relating to the operation of public housing projects. The Management Division, which he heads, consists of the following branches:

- a. Economics.
- b. Management Operations.
- c. Operations Engineering.

E. *Central Office address.* The Central Office of the PHA is located in the Longfellow Building, 1741 Rhode Island Avenue NW., Washington 25, D.C. Mail should be addressed as follows:

Public Housing Administration, Washington 25, D.C.

F. *Regional Office organization.* The Commissioner, in administering the programs of the PHA, has established a decentralized organization, vesting primary responsibility for operating phases of the programs in the Regional Offices wherever possible. Each Regional Office

is headed by a Regional Director who is responsible for the work of the Regional Office and of all PHA field establishments within his area of jurisdiction. The principal staff officials of a typical Regional Office are an Assistant Director for Development, an Assistant Director for Management, an Attorney, an Economist, a Labor Relations Officer, a Racial Relations Officer, and a Chief of Office Services. In the absence of the Regional Director, the following shall serve as Acting Regional Director in the Regional Office indicated: *Provided*, That in each Regional Office the second named shall so serve only in the absence of both the Regional Director and the first named:

Atlanta Regional Office:

1. John Jones Knudsen, Assistant Director for Development.
2. R. E. Bates, Assistant Director for Management.

Chicago Regional Office:

1. Albert F. Muench, Regional Attorney.
2. Theodore A. Veenstra, Regional Economist.

Fort Worth Regional Office:

1. Clarence J. Stenzel, Assistant Director for Management.
2. Karl Buster, Assistant Director for Development.

New York Regional Office:

1. Joseph J. Kohler, Assistant Director for Management.
 2. Horton H. Nielson, Regional Attorney.
- Puerto Rico Regional Office:**
1. Alfredo T. Ramirez, Assistant Director for Development.
 2. Theodore Goshen, Assistant Director for Management.

San Francisco Regional Office:

1. Arthur L. Chladek, Assistant Director for Management.
2. Louis B. Ambler, Jr., Assistant Director for Development.

Washington Regional Office:

1. K. C. Cavanaugh, Assistant Director for Management.
2. Archie P. Burgess, Assistant Director for Development.

G. Regional Office jurisdictions and addresses. The geographical jurisdictions and addresses of the Regional Offices are as shown below:

1. Atlanta Regional Office:

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. Public Housing Administration, Peachtree-Seventh Street Building, 50 Seventh Street NE., Room 737, Atlanta 5, Ga.

2. Chicago Regional Office:

Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. Public Housing Administration, Room 2201, 185 North Wabash Avenue, Chicago 1, Ill.

3. Fort Worth Regional Office:

Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas. Public Housing Administration, Room 2072, 300 West Vickery Boulevard, Fort Worth 4, Tex.

4. New York Regional Office:

Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. Public Housing Administration, 346 Broadway, New York 13, N.Y.

5. Puerto Rico Regional Office:

Puerto Rico and the Virgin Islands. Public Housing Administration, P.O. Box 9197, Santurce, Puerto Rico.

6. San Francisco Regional Office:

Alaska, Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, and the Territory of Hawaii.

Public Housing Administration, 1360 Mission Street, San Francisco 3, Calif.

7. Washington Regional Office:

Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Public Housing Administration, Washington 25, D.C.

H. Other field establishments. Project and rental offices under the direct supervision of the Regional Offices are located at Indianapolis, Indiana; Enid, Oklahoma; and Oklahoma City, Oklahoma. Requests for information concerning them should be addressed to the appropriate Regional Office.

Date approved: January 7, 1959.

CHARLES E. SLUSSER,
Commissioner.

[F.R. Doc. 59-402; Filed, Jan. 15, 1959;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 13, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35180: Scrap or waste paper in the South. Filed by O. W. South, Jr., Agent, (SFA No. A3761), for interested rail carriers. Rates on scrap or waste paper, carloads between points in southern territory, as described in the application.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 11 to Southern Freight Association tariff I.C.C. S-34.

FSA No. 35181: Bituminous fine coal to Rochester, Minn. Filed by Illinois Freight Association, Agent, (No. 38), for interested rail carriers. Rates on bituminous fine coal, carloads from mines in Illinois, Indiana, and western Kentucky groups, to Rochester, Minn.

Grounds for relief: Rail-barge-truck competition.

Tariffs: Supplement 17 to Illinois Freight Association tariff I.C.C. 898 and other schedules listed in exhibit 1 of the application.

FSA No. 35182: Gravel from Dickason Pit, Ind., to St. Elmo, Ill. Filed by Illinois Freight Association, Agent (No. 39), for the Chicago & Eastern Illinois Railroad. Rates on gravel, road surfacing carloads from Dickason Pit, Ind., to St. Elmo, Ill.

Grounds for relief: Wayside pit and truck competition.

Tariff: Supplement 107 to Chicago & Eastern Illinois Railroad Company tariff I.C.C. 144.

FSA No. 35183: Substituted service, New York, New Haven and Hartford R.R. Co. Filed by The New York, New Haven and Hartford Railroad Co., for itself and interested motor carriers. Rates on var-

ious commodities loaded in highway trailers and transported on railroad flat cars between Boston, Mass., on the one hand, and Harlem River, N.Y. on the other.

Grounds for relief: Motor truck competition.

FSA No. 35184: Canned or preserved foods from Vancleave, Miss. Filed by O. W. South, Jr., Agent (No. A3763), for interested rail carriers. Rates on canned or preserved foodstuffs and related articles, carloads from Vancleave, Miss., to points in southern territory, Ohio and Mississippi River crossings, points in Virginia and West Virginia, and Washington, D.C.

Grounds for relief: Short line distance formula and grouping.

Tariff: Supplement 12 to Southern Freight Association tariff I.C.C. S-34.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-386; Filed, Jan. 15, 1959;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-2433]

ELJO OIL & MINING CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JANUARY 12, 1959.

I. Eljo Oil & Mining Corp., a Nevada corporation, filed with the Commission on August 12, 1957, a notification and offering circular relating to a proposed offering of 250,000 shares of its \$1 par value common stock at \$1.00 per share for an aggregate offering of 250,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable grounds to believe that:

A. The issuer has failed to comply with the terms and conditions of Regulation A, particularly in that:

1. It has offered its securities in a jurisdiction not set forth in Item 8(b) of Form 1-A of Regulation A.

2. It has failed to file sales literature, as required by Rule 258 of Regulation A.

B. The offering circular contains untrue statements of material facts, fails to reflect material changes which have occurred in the affairs of the company, and omits, to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to (1) the acquisition of new properties; and (2) the use of proceeds from the sale of stock.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Reg-

ulation A be, and it hereby is, temporarily suspended.

Notice is hereby given to Eljo Oil & Mining Corp. and to any person having any interest in the matter that this order has been entered, that the Commission upon receipt of a written request within thirty days after the entry of this order will, within twenty days after receipt of such request, set the matter down for a hearing at a place to be

designated by the Commission for the purpose of determining whether to vacate the temporary suspension order or to enter an order permanently suspending the exemption without prejudice, however, to the consideration and presentation of additional matters at the hearing, that if no hearing is requested and none is ordered by the Commission, the suspension order shall become permanent on the thirtieth day after its

entry and shall remain in effect unless or until it is modified or vacated by the Commission and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 59-408; Filed, Jan. 15, 1959;
8:47 a.m.]